HOFMANN'S CONFESSION

VOLUME TWO

A PHOTOGRAPHIC PRINTING OF THE TRANSCRIPTS OF SALT LAKE COUNTY PROSECUTORS' INTERVIEWS WITH CONVICTED FORGER AND MURDERER MARK HOFMANN

INTERVIEWS
CASE OF STATE VS. HOFMANN

FEBRUARY 11, 1987 through MAY 15, 1987

(MARCH 12, 1987)

COPY

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MARCH 12, 1987 2:18 p.m.

PRESENT: MR. DAVID BIGGS, MR. BRAD RICH

MR. BIGGS: Today is March 12, 1987, approximately 2:18 p.m.. Present, Brad Rich representing Mark Hofmann; Mark Hofmann and David Biggs. Bob Stott is not here, he's in the Bahamas getting tan and Mr. Yengich is in Arizona getting tan.

What I would like to do in their absence, if it is all right with everyone, is to go to a different area basically because it happens to be my area, and see if we can't get a lot of the printed material done; all right?

A Okay.

Q Now, I have not listed these in any specific chronological. There is however, one thing I would like to go to that has a combination of print and handwritten material and that is the handwritten White Notes or Valley Notes, and it was charged. It has handwriting on it. You talked briefly about it last time concerning the Bullock handwriting.

A Right, although I don't remember it has any printing other than an embossed impression.

Q That's it. I wanted to talk to you about that. Could you tell me about it?

A As far as the embossing on it, I made the embosser. Now, I wanted to talk to you about this but you

may want it off the record.

Q How was it done?

A Well, no. Well, yes, that too. Can we talk about that first?

Q Let's stop for a second.

DISCUSSION HELD OFF THE RECORD

MR. BIGGS: After the discussions between counsel and the defendant, let me ask you this question: How did you produce whatever it was that embossed the handwritten White Notes that you see in front of you?

A That embossed seal appears on the printed Valley Notes also and I thought that the forgery would be more convincing if it also had that seal. In thinking of how it would be possible to imitate it, I obtained a printed Note with a genuine seal.

Q Are those rather rare?

A It's approximately two to $300 item for the common denominations. I coated the Note with laquer and with carbon dust and with some electroplating equipment which I have, or had before you confiscated it.

Q Was it in the garage?

A It was in the garage. I plated the Note to make the metal impression, an electrotype impression.

Q How long did that take you?

A It was coated, it was plated in copper and in

heavy nickle metal and that metal impression is what I used to impress these Notes with.

Q Would that make a negative of the impression?

A No, it makes it-- Look at it this way: You take it off of a genuine paper and then it's a negative and then you put it back onto another paper which was previously missing the seal and it reproduces what was on the original document. The embossed impression. But as far as the metal itself, it is negative, that's true.

Q How long did it take you to do that?

A Within a few hours. It didn't take long.

Q Was this the first time that you attempted that technique on the handwritten White Notes?

A No, I had previously made or reproduced a notary seal.

Q With this, when you were younger?

A Yes, I--What does that mean?

Q Younger than you were when you did these?

A Yes, at an earlier time when I did this.

Q Did that notary seal have anything to do with any of these documents that we're questioning you about?

A No.

Q Was it before you went on your mission?

A Yes. I had that perfected before I went on my mission. I had reproduced notary seals before.

Q The reason I say that is you mentioned one time that you, some of your friends knew about this ability that you had.

A Ability to electroplate?

Q Yes.

A Yes. I had that ability before/

Q All of the handwritten White Notes that you sold, did you emboss with your plate that you prepared, as you described it to us?

A Yes. Although I made two different metal impressions.

Q Why?

A Because I destroyed the first after making, I believe, a series of eight Notes and later made some additional copies and I needed a new plate.

Q Why did you destroy the first one?

A Because I didn't think I needed any more and because it was, it is obviously something that I wouldn't want to keep around. I mean, it's evidence.

Q How did you destroy it?

A I believe I just, I pounded out the impression with a hammer and threw it away.

Q How was it actually placed on the pieces of paper? It meaning the emboss.

A The paper was moist and I believe it was only

hand pressure that was used to apply it.

Q Are we talking about one or two pieces of metal in this embossment?

A I believe that only one was used for this. For other notary documents, for example which have a more distinct impression, two would have been used. But I believe it would have been one piece of metal. The paper on top of it, a piece of felt or hard rubber sheet and another smooth piece of sheet metal and applying pressure, putting it on the table or whatever and just leaning on it.

Q Were the pieces of paper embossed before or after they were written on?

A After, I believe. Well, I'm certain it would have been after.

Q Was the embossment put on before or after the aging process, if any, on these documents?

A That would have been the very last thing done since the aging process required wetting of the documents with hydrogen peroxide, which would have pressed out the impression.

Q What about the second seal that you made, what happened to that?

A That was destroyed also.

Q How was it destroyed?

A It was thrown in the garbage. The impression

would have been broken up first and thrown away.

Q Now, there's a lot more questions concerning the handwritten White Notes but that's Stott's area.

A Okay. Out of curiousity, what was your theory on how I embossed those?

Q There were two. First was that possibly you had gotten hold of the original seal and somehow gotten it to work. And secondly, that you made your own and we were, of course, unable to find any engraving company that assisted you in that, so we thought possibly you had made it by yourself because we did find, in one of the searches, some blank copper plates for engravings, but just blanks.

MR. RICH: Was the notion, the reason you didn't use a company to do this, the fact that you thought they would be suspicious about making something that resembled a seal?

A No. I didn't know any, an electroplating company that would do it and I knew how to do it so I just did. As far as using an engraving company, I can't see how they could have succeeded in making it unless somehow the seal could be photographed off of the paper and then, or I don't know, but it wouldn't have been through an impression type process to get the seal off of the paper. It could have been,they would have had to photograph it somehow.

Q So you had no way of getting an original that

was anything but an impression?

A Right.

Q Okay.

MR. BIGGS: Let me ask you this: On the technique that you used to make the seal, is that a process that you developed on your own through years of trial and error or could you tell us whether or not there's any reference material that you used to assist you in that process?

A I had previously read material on electroplating. Probably from the University of Utah Library on the first floor, and I'm sure that I knew that. Well, I did know from that material that nonconducting items such as paper or wood can be made, the surface can be made so it conducts and can be plated.

Q Does the process destroy whatever you're laquering or carbonizing?

A No. I later would have rinsed the laquer off in acetone and would have sold it without any damage.

Q So that the printed White Notes that you used to make the plate from, both plate number one and plate number two, were two different Notes. Do you have either one of those Notes anymore?

A No.

Q Do you know where they went?

A Probably sold to Deseret Book Company or Al Rust or to another party through Lynn Jacobs.

Q And you don't know at this time, you have no independent recollection of which that would be?

A For the first plate it probably would have been Al Rust but again, that's more guessing than anything. I believe that I had a set of the denominations and chose the 2 Dollar Note which had the most distinct seal, used it to make this electrotype and then replaced it in the set and sold it.

Q Okay. Brad, do you have any other questions on that seal?

MR. RICH: No.

MR. BIGGS: Mark, is there anything else you would like to tell us about that seal?

A There probably is. Can we go off the record?

DISCUSSION HELD OFF THE RECORD

MR. RICH: The reason we are going off the record on these times is because there is a discussion of specific criminal techniques that is being discussed that may or may not be appropriate for public as a teaching device for potential future forgers.

MR. BIGGS: Okay. Let's go to the Spanish Fork Cooperative Institute Notes.

A There are two types we'll be discussing and the

first type, let's discuss just for the sake of convenience. Let's call them the colored Spanish Fork Cooperative Notes and let me show them to you. There are four in number, four in a set, 10 cents, 25 cents, 50 cents and a dollar and that which I just described to you is in colors. First blue, yellow, red and green.

A Respectively.

Q Respectively

MR. RICH: I have a question on these. Did you actually think anybody was going to presume that that yellow was a 19th Century yellow? Obviously you got people to buy it but--

MR. BIGGS: Do you want your question to be responded to or is that a rhetorical question?

A My thoughts were it didn't necessarily have to be necessarily 19th Century since the Spanish Fork Cooperative existed in to the 20th Century and even after it became disenfranchised some people involved didn't want it to go under and it kept going until I believe, at least 1950s, although the name John Moore would have been suspicious on one of those.

Q Tell me, we are talking about the year 1982. We were able to locate at the Salt Lake Stamp Company a request for the preparation of those stamps for the stamp saying 10 cents, 25 cents, 50 cents and a dollar.

A Right, the handstamps.

Q And it was under your name. You used Mark Hofmann. Do you recall that?

A I recall obtaining the stamps there and I guess it's not surprising I would have used my own name but I don't recall that, no. I don't really recall the incident. Well, I recall I shouldn't say that, I recall some parts of that incident. Should I carry on or--

Q Let's go through it and see what parts you recall. Let's start with the artwork that you took in. That is to say the directions that you gave Salt Lake Stamp on how to make the stamps. Where did you come up with that information?

A I believe that I took them my artwork except what I wrote out by hand. In other words, it wasn't a photographical process. I described what I wanted as far as the size of the lettering and length of the inscription.

Q How did you come up with those measurements?

A So that they would fit on the Notes, I presume. The Notes are all identically printed. The only difference being in the denominations being that handstamp.

Q The other printed matter on the Notes, other than the 10 cents, 25 cents, 50 cents and a dollar stamp, where did that come from?

A I printed it.

Q How was that done?

A I composed the artwork. I believe that the name Spanish Fork Cooperative Institution was off of a letterhead, an authentic letterhead which I cut up, cut the words out. Pasted on a piece of paper. Also, I believe the little flourishes on either side of the words,"Spanish Fork" I obtained from that letterhead. The other words, "will pay to the bearer in merchandise at retail", "NO" for number and "secretary", well, I'm not sure about secretary but I'll say it anyway, I believe those were rub off lettering as far as making that artwork. The border I probably took from another 19th Century document.

Q After creating the artwork, what did you do with it?

A I took the artwork to have a negative made. I believe the location on that was, it's across the street from Utah Engraving. I can't remember the name of that.

Q You mean in that alleyway?

A There's a photographical place there, yes. Don't tell me you haven't checked there before. Had a negative made. With that negative I made a plate.

Q You made a plate yourself?

A Yes. You mentioned a few minutes ago finding copper plates in my garage. You may have also found some photosensitizing material. I used those with an ultraviolet

light to sensitize the copper plate and I etched it with ferrochloride.

Q Where was this process done physically?

A Let's see, this would have been when I lived down in Sandy. The artwork would have been composed in an office I had downstairs there. The basement was unfinished except for one room which I used as an office. In the other part of the unfinished basement is where I would have made the plate. It would have been at night time so that I could use that as the dark room. There's no light.

Q Can you remember what name you used at that photograph studio across the street from Utah Engraving when you asked them to make the negative for the Spanish Fork Notes?

A Since it would have been around the time that I used the name Mark Hofmann at Salt Lake Stamp, it wouldn't surprise me if that was the name that I used. Or it might have been Mike Hansen.

Q Do you have any idea now of whether that photographic studio that you used is still in business across the street from Utah Engraving?

A I believe that it is or at least it was as of the time of the bombings.

Q What was your purpose in making the plate and asking for the production of the stamps?

A To make these Notes.

Q What were you going to do with them?

A What I succeeded in doing with them, selling them for profit.

Q How much did you sell them for?

A I believe that the first set, or one of the sets, one of the first sets was sold to Al Rust for I believe around $15,000. Actually he bought two sets but some months later decided that he had overpaid for them and I purchased one back.

Q What did you do with the set you purchased back?

A I believe that that is the set which Marks purchased.

Q Doctor Marks?

A Doctor Marks in Arizona.

Q Did you sell any sets other than to Rust and Marks?

A Yes, I believe one that was also purchased or traded for by the Mormon Church.

Q Anyone else?

A You tell me. Not that I can remember.

Q What about the signature, John Moore. Where did you acquire that from?

A Where did I acquire an example of his signature

from?

Q Correct, and for the record, I take it that that is your handwriting on all those Spanish Fork Notes?

A That's correct. As well as my handwriting on the serial numbers. My answer to that question depends. If it imitates his authentic signature, I would have probably acquired it on an inexpensive document such as the one that I cut up to use as artwork for the printing plate. If it does not resemble his signature it would have originated in my head.

Q Were these colored Spanish Fork Notes in any way aged?

A I believe that I dyed the paper

MR. RICH: Where did the paper come from?

A To make it a light blue color. I don't believe that this is 19th Century paper.

MR. BIGGS: Do you know where you got the paper?

A I believe that I would have purchased it at Reuel's Photo Blue or at-- Well, I'll leave it at that. That's where I think I got it.

Q And the actual printing process took place in your basement in Sandy?

A That's right.

Q Putting ink to paper?

A Applying the ink to the paper would have taken place in my office in Sandy.

Q What method was used to do that?

A I would have applied the ink to the plate with an ink roller, then put the piece of paper-- Let me say I believe that only one plate was used rather than using multiple negatives and having multiple copies on a single plate, which you could determine easily enough by flaws on the plate. Yes, all four of these were off of the same impression on a plate.

I would have applied the ink to the plate like I say. I would have put the piece of paper on to that, backed it with probably another few pieces of paper or with a piece of material, cloth, put another piece of metal plate on top and applied pressure either with my hand, but more likely using a C-clamp

MR. RICH: What was your percentage of successful documents out of that procedure? Did that turn a clean impression every time?

A Well, you haven't looked at these documents.

MR. RICH: An acceptable impression?

A As clean as what appears here. It's fairly crude printing but probably not too unlike what a novice printer in Spanish Fork might have produced.

MR. BIGGS: Did you have a printing press that

you used to produce the Spanish Fork Notes?

A No, I never used a printing press.

Q In any of the things that you've done?

A No. Let me go in to the details since I believe it applies to these Notes. I believe that, like I say, you have the papers and cloth, the paper and a piece of cloth in between two metal plates which are approximately 1/8th of an inch or 1/16th to 1/8th of an inch apiece in width. That was my printing press. I then applied pressure to it, probably sometimes by hand in this case. In others, probably with a C-clamp, which is kind of a vice, and it is as tricky as that.

Q Okay, we'll get into a little more of that as we go along. Anything else on the colored Spanish Fork Notes?

A The ink would have been purchased probably at Salt Lake Stamp.

Q Would that be all of the ink?

A The handstamp ink of blue, yellow, red and green. The printing ink in black would have been purchased from probably Reuel's Photo Blue.

Q Did you take any pains to try to make the printers ink exactly like printers ink of the 19th Century or anything of that nature?

A Not on these documents, no.

Q Let's talk now about Spanish Fork Cooperative Institute Notes, second set.

A Okay. These are the ones with the marbled back.

Q Correct. Let me show you a photocopy. I don't have the originals here today of those Spanish Fork Cooperative Institute Notes with the marbled back.

A Okay.

Q Now, which set of Notes came first, the colored Notes or the marbled back Notes?

A I believe that the marbled back Notes did, although they are both very close in time.

Q Where did you gain-- Let's see run through this. Where did you get the artwork?

A I would have done that with rub on lettering. I believe all of it including the small dots used as a signature line, and produced it that way.

Q Mark, let me go back just real briefly. I didn't think I had this today but I do. This is the Salt Lake Stamp order form for the colored Spanish Fork Cooperative Note stamps and does it look like what you're talking about here?

A Yes, I'm sure that this is it with my signature.

Q Dated January 15, 1982?

A Also proofs of the stamps, one of which was incorrectly made, one cent, and later changed to, let's see, there's a dollar one there? Yes, later changed to one dollar.

Q Can you remember what happened on that one?

A Which, the one dollar one or one cent one? The one cent one was never used. I would have thrown it away without ever having used it.

Q That brings up a question I may as well ask. What happened to these stamps that were produced by Salt Lake Stamp?

A They would have later been thrown away.

Q You kept none of the stuff?

A No. And this stuff, meaning what we are talking about?

Q Yes.

A Yes. No, I didn't.

Q At least in all of the discussions we've had so far you've pretty much destroyed everything you used in preparation of these documents. Is that a standardized thing that you did?

A After I used it I didn't have anymore purpose to keep it so I would have got rid of it, that's correct.

Q Here's another receipt of Salt Lake Stamp dated April 18, 1984. And we are jumping ahead but as long as I

have this out, it says, Mark Hansen. Does that look familiar to you at all?

A I don't recall this transaction at all. I don't remember what I would have used the three inch and six inch stencils for. It was also ordered by probably someone who had a woman's voice. Is the address correct?

Q No

MR. RICH: For the record, we are now talking about a Salt Lake Stamp invoice dated, what date

MR. BIGGS: April 1984.

A What did I use that for?

MR. BIGGS: I don't know, that's why I'm asking you

MR. RICH: Which details a series of stencils. It came up at preliminary and I don't think there's any connection with anything on that.

MR. BIGGS: That is the reason we are asking.

A I don't remember what I would have used those stencils for.

MR. RICH: I'm not even sure what a set of six inch stencils is. Are those lettering six inches high?

A Yes. I can't imagine using it in any of my forging so I don't know. You say this address, no one lives there by that name?

MR. BIGGS: I don't believe so.

A Okay, let's see, this is '84. No, I don't believe that I had anything to do with this.

MR. BIGGS: Do you know how you destroyed the stamps or how you got rid of the stamps, let's say that.

A The stamped impression would have been in a rubber type substance on a wooden handle. I may have removed the rubber and thrown that out, separately from the wood, although I doubt that I did that. I probably didn't take any pains and just threw it away since I didn't interpret it to be incriminatory at all.

Q Did you make only one set of stamps, 10 cents, 25 cents, 50 cents, one dollar?

A I believe so, yes.

Q Let me show you what gave them instructions. This is the third page of the Salt Lake Stamp document and you have three inches long, three and 1/4th.

A Yes.

Q How did you come up with that, those dimensions?

A The dimensions would have been, I believe to fit the spacing on the Notes where I wanted to apply them.

Q So, and correct me if I am wrong, the plate from which the Spanish Fork Institute Notes were done, was completed prior to the time you went in and got the rubber stamps, at least the artwork would have been completed?

A They may have both been ordered the same day as far as the negative and the stamp. I'm not sure, but it would have been very close.

Q Okay, let's go to the marbled backed Spanish Fork Cooperative Notes. Now we were talking about the artwork. And you were saying that you thought that they came from press on letters?

A I'm quite certain of that, yes.

Q And then what happened?

A I believe that this plate I also manufactured. I believe that I obtained the negative the same place as the other Spanish Fork Note negative.

Q Where was it printed?

A It would have been printed the same way in the same place as the other Spanish Fork Notes.

Q Where did you get the paper?

A You don't have the original of those; do you Brad? I believe that overimpression of the denominations is in a magenta ink.

MR. RICH: That is where it says 25 cents or 5 cents or whatever?

A Yes. Just the numerals, the digits. The other printing I believe to be in black ink. I believe also the digit overprinting would have been from the rub on letters also as far as how I obtained that artwork. The paper-- Am

I jumping ahead?

MR. BIGGS: Go ahead.

A The paper came out of a book, it was an end sheet in a book at the University of Utah.

Q Can you pinpoint the location?

A Yes. It is on the 4th floor in the stacks, approximately in the middle of the east side or east wall of the library. I can walk you right to the book if you let me out of here. I don't remember the title of the book or, let's see, I believe it would have been on the north stack. North side of the shelf. Books in that section, I believe, are literature.

Q What took you to that particular location? What were you looking for?

A I was looking for paper to print these Notes.

Q What type of paper were you looking for?

A The evidently marbled paper. At an earlier time, probably not this late in the 19th Century, marbled paper was fairly commonly used to print, in colonial times, for example, as a deterrent to counterfeiting.

Q Did you have any independent information that the Spanish Fork Notes had been printed on marbled paper?

A No, not that I remember.

Q Where and to whom and for how much did you sell these particular Spanish Fork Cooperative Notes with the

marbled backing?

A I can't remember if I made one or two sets of these. Probably just one set. Does the Church have a set/ I think these were unique creations and sold to Al Rust. Since he changed his coding I am not able to interpret how much I sold them to him for. I don't remember. Probably less than I did the other set. Maybe just guessing, $500 or less.

Q Now, would the different colors printed on there, on the marble backed Spanish Fork Cooperative Notes, done at different times or done in a different technique? How did you get a red 5 and then black lettering?

A Oh, yes, it would have been done at different times. Probably with the overprinting done after the black impression.

Q Would it have been on the same plate?

A Probably not. Or it may have been done in a different part of the same plate but I don't believe that it was and it would have been easier just to use a separate plate.

Q And we are talking now about the red 5, the red 10 and red 25?

A Yes.

Q Do you have any independent recollection now where you got the artwork for that and where you got the

plate or negative prepared?

A It would have been a copper plate. If I had a phone book I could tell you where I acquired it.

Q Why would the phone book help you?

A I believe I remember it was out on the west side and there are only a couple places listed in the yellow pages under sheetmetal and I believe I would recognize the place where I purchased it.

Q I'll bring you a telephone directory and see what we can do.

A Bring me the yellow pages and I think I can tell you. That's where I would have purchased the metal. I don't believe that a name would have been used, you know.

MR. RICH: What would the strikeovers on the signature, what was the purpose of that, just adding interest to it?

A No. It appears to be that the Notes were invalidated that way.

Q Did you have any historical information that allowed you to know that?

A I knew that Notes were sometimes invalidated that way after they are redeemed or whatever.

MR. BIGGS: All right, anything else on the marbled back Spanish Fork Notes, Mark? They were printed in your Sandy home, correct?

A That's correct. The ink would have been purchased again at probably Reuel's Photo Blue. The black and magenta colors.

Q What was done with the plates?

A They would have been thrown away.

Q Are we talking about thrown in the kitchen garbage can or going out to the dump yourself?

A No. I never went out to the dump. I would have, I probably would have defaced them in some way with a hammer, probably, or I would have like bent it in half so that the negative writing on it would not be exposed and put it in the garbage can.

Q Again, did you use a printing press on these marbled back Spanish Fork Notes?

A No, they are printed the same way as the other Spanish Fork series. Probably with a C-clamp to apply the pressure.

Q Why only one set of marble backed Spanish Fork Notes?

A Probably or possibly for a couple of reasons. One being if they are unique they would be worth more but more likely that they look kind of stupid, don't they. I probably was not satisfied with their appearance.

MR. RICH: You still don't know whether they came before or after the others?

A I think they probably came before the others. Did they come before the others? Do you have a date? Do you know when they were purchased?

Q By Mr. Rust?

A By Rust.

Q No, Rust was very vague about that.

A He probably doesn't remember either. I believe they were before but only by a matter of weeks or months probably.

Q All right.

A You don't have any holes punched in these. Oh yes, you do.

Q Anything else you want to say on either the marbled back Spanish Fork Notes or the colored Spanish Fork Notes?

A No, there's nothing I want to say. Whether I should say something or not, I can't think of anything else that you haven't covered. Oh, let's see, the paper on the first set we were talking about with the hand stamped denominations, those were dyed into a slightly bluish color using permanent, that is non-water soluable writing ink of a blue shade. Again, probably purchased at Reuel's Photo Blue.

Q Why did you want the paper blue?

A For one thing it might have hidden the source

of the paper. You know, that it is new paper, or can be easily purchased there. But probably more that it just looked better to me. I don't know.

Q Why would blue make it less recognizable as a recent manufactured paper?

A Well, it wouldn't make it less recognizable as a recent paper but it would have hidden the source of the paper, of where the paper was obtained or in other words, it could become, if it were compared with the original white paper someone would have thought that they were two different papers.

Q Just because they were two different colors?

A Yes. Well, ordinarily people wouldn't think of dying paper, I didn't imagine, so it seemed good at the time.

Q How does it seem to you now?

A As far as being a forging technique?

Q Correct.

A Rather on the stupid side.

Q But we are talking about 1982, right?

A Now, I take it you're trying to lead up that I am becoming a better forger with time.

Q Well, I don't know. Do you think you did become better?

A I became more careless with time insofar as,

I'm sure we'll get in to this in your next subject. Insofar as becoming too lazy to make my own plates.

Q Okay, let's go on now. Do you have any further questions on the Spanish Fork Notes?

MR. RICH: No.

MR. BIGGS: Let's go on to the Deseret Currency. Plates were prepared in Denver, Colorado by Cox & Clark?

A That's correct.

Q When did you come up with the idea of doing those?

A What date did I make the plates?

Q May of '84, I believe.

A I probably would have come up with the idea in April or May of '84, I believe. In other words, it would not have been a drawn out thing, between when I decided to do them and when I did them and when I sold them.

Q May 18, 1984 was the first order of plates and then June 21, 1984 was the second order.

A Okay.

Q Sounds about right to you?

A Yes, that sounds right.

Q What was your desire in having Cox & Clark make the plates?

A My desire was to print some Deseret Currency

Notes to sell for profit.

Q Why did you think you would get some money for them?

A Because I knew the collectors would pay money for them.

Q Why did you know that?

A From my previous experience with collectors and with Mormon money. Am I answering your questions all right? I'm not sure what you want me to say.

MR. BIGGS: I don't want you to say what you think I want you to say. I want you to say what you have to say.

A Okay, that would be my motive is to make money on those.

Q All right. Here is the first. You can look at that if you would like and I want to know where you got the artwork for the negatives and plates?

A This is the one and two dollar denominations plate. Both of which denominations are known. The artwork would have been a Xerox of the original notes which was retouched by hand.

Q Whose hand?

A By my hand, using a technical pen. Do you know what that is?

Q No, explain that to me.

A Again, I probably would have purchased that at Reuel's Photo Blue. It is a very fine point pen used in technical drawings.

Q Does it have a white tip or black tip or what are you trying to cover up?

A As far as why I would have retouched?

Q Yes.

A I would have been trying to make the design more complete. In other words, if there is a flaw in one of the letters I would have tried to fill it in to restore it, repair it.

MR. RICH: Was this to make up for the inadequacies of the Xerox process?

A Not that as much as the inadequacies of the originals and the details that would have been lost in their printing.

MR. BIGGS: Where did you get the originals to Xerox?

A I probably would have owned them or I would have obtained them from Mr. Rust.

Q On the other side of the sheet we've got some more negatives.

A Yes. This is the 3, 5 and 10 dollars negative for that denomination plate.

Q Where did you get the artwork for those?

A The 3 Dollar denomination is known to exist and that would have also been a Xerox.

Q How about the 5 and 10?

A The 5 and 10 Dollars would have been my own artwork that I composed since those Notes were not, at that time, known to exist. Meaning at that time originals of those Notes are not known to exist. Genuine copies.

Q I notice on the 5 and 10 there is Brigham Young printed.

A Yes.

Q On the 3 there is a line but no printed signature.

A Also on one of the 2 Dollar denominations has the printed. The other has a line for a signature and the 1 Dollar denomination also has the printed Brigham Young signature. Do you want reasons for that or what?

Q Yes.

A The genuine copies of the 1, 2 and 3 Dollar denominations are known as either the A series, as collectors call them, meaning they're in English face, A or B in the top righthand corner of the Notes. The A series had space for a handwritten signature. The B series had the printed Brigham Young signature. I adopted that also in to the unknown 5 and 10 Dollar denominations. When I say unknown, that, of course, means genuine printed notes have

not been seen by collectors, although they are known to have been printed in those denominations.

Q So on the 5 and 10, the artwork, did you just try to be consistent? How did you come up with the artwork for the 5 and 10?

A Noticed in looking at the 1, 2 and 3 Dollar denominations that different printing faces had been used. Meaning the words Deseret Currency or meaning the words Deseret are different on each of the three, those three Notes. The words Currency Association is different on each of those denominations. The type face of the sideways word, 1, 2, 3 are different. In the text of the Note where it says "will pay the bearer one", spelled out on the 1 Dollar denomination. The same location on the 2 Dollar Note, the word two, and on the 3 Dollar Note the word three, are again in a different type face. Underneath--Am I being too detailed here? Underneath the digits one is again, the word one on the 1 Dollar denomination. That word is missing on the 2 Dollar denomination. That appears in a different type face on the 3 Dollar.

My idea in copying the Deseret Currency in the other denominations was to be as consistent as I could in preparing that artwork as what appears on the original notes. For example, the border on the Notes on the top and bottom consists of a small design and then the word "one"

and then the design again, the word "one" again. Repeated several times. That same design appears with the different denominations, the word on the 2 and 3 Notes which I again copied on the 5 and 10. Since the type faces are, as I indicated, are different on the 1, 2 and 3 Dollar denominations in those places, I used different type faces for the 5 and 10 Dollar denominations.

Q Where did you get the type faces?

A Which would have been used probably in those days as a counterfeiting deterrent.

The type faces are off of cheap printed items from the 19th Century. They are authentic 19th Century type faces. In fact, I was lucky I guess in that I found on the 3 Dollar denomination the text, the word "three" is in the same type face as I was able to find on another document, where I was able to use that to write the words "Deseret Currency" on the 10 Dollar Note. I believe on either these or the other plate that I made later, I was able to do the same thing. In other words, use the same type face as was used, as is known to have been used in the Deseret News Print Office at that time.

MR. RICH: What about the borders? Where did you get that?

A The designs on the borders are small, I don't know what you call those. The small flourishes I would have

copied off of the original 1, 2 and 3 Dollar Notes. In other words, taken a Xerox of them and cut those out and pasted them on.

Q How about the numbers, 5 and 10?

A The word numbers on the bottom?

Q Yes.

A They would have been from the same type face as what was used on the 1, 2 and 3 Dollar Notes that I again got from a 19th Century document and cut out the letters and pasted them on.

MR. BIGGS: Do you know what the 19th Century document you're talking about or documents, where you obtained them?

A They would have been cheap documents that I probably bought in a bulk lot. Some of them probably from Niles Anderson. Some of them from other sources. As I recall, they were mostly 19th Century newspapers. I believe that some of them may have actually been early editions of the Deseret News. In that case I would have used Xeroxes of them in making my artwork rather than cutting up the originals since they are more valuable than an eastern newspaper, for example. Another possibility of where I obtained them would have been, let's see, this would have been in '84?

MR. BIGGS: May and June, '84.

A Possibly from Argosy Bookstore in New York. I purchased some 19th Century items there.

Q Now, we have two requests for printing, the ones that you see in front of you and later on, June 21st another request for zinc etch Currency Association prints.

A Yes, they are for 20, 50 and 100 dollar denomination plates that I had made.

Q Why did you have them made in separate lots?

A I believe for a couple of reasons. One being that I was in a hurry to print some of these Notes off to make some money and the process used to compose the artwork was quite time consuming. The other reason being that the 3, 5 and 10 Dollar denominations were such a big hit that I believed I would have a ready market for the higher denominations which are known to have been printed but which are not in collectors hands.

Q Did you use the same sources for the artwork on the 20, 50 and 100 as you described to us on the others?

A Yes. I believe it is all 19th Century artwork, although there is a possibility I was sloppy and used some rub on letters but I couldn't recognize or couldn't say which would be which. You tell me, is it all 19th Century?

Q No.

A Just a second. There's a possibility I was sloppy and used rub on letters or some other 20th Century

source for the writing. Let's see. I failed before to mention the word facsimile is a typewriter impression. So that's obviously 20th Century.

MR. RICH: That was done simply to avoid creating suspicion?

A That's correct/

MR. BIGGS: I would like to now show you some actual printing and ask if you can tell me where you obtained the paper for these Deseret Currency Notes?

A The paper would have come from books where in 19th Century books it was not uncommon to find engravings typed in to the book cover, to keep the engraving or-- Let me start over. To have this paper typed in to the book in order to prevent the engraving from being in contact with the text.

Q Do you know where this paper was acquired from?

A Yes, it would have been from the University of Utah Library.

Q Boy, they're missing a lot of paper, aren't they.

A None important.

Q And they were all of this same type of paper, that is the paper covering the engravings?

A Right, although, if you look at the paper you will see there are differences in it as far as the weave and

manufacture of the paper, but that is the origin of all of the paper.

Q What were you looking for in the paper? Were you trying to copy the original 1, 2 and 3 that you had seen?

A As close as I could. They are also printed on the thin paper.

Q Was the paper aged?

A Well, it was already 19th Century paper. Authentic 19th Century paper. Let's see, as far as aged, there may have been some stains or something placed in them to make it look, they were folded, made to look old, I guess, yes.

Q Did you age the ink?

A It was oxidized after. You mean the handwriting ink?

Q Handwriting ink?

A Yes, it would have been oxidized after being placed on the paper.

Q Did you do the writing on all of these Deseret Currency Notes?

A Yes.

Q Did you do the printing of all of the Deseret Currency Notes?

A Yes.

Q What kind of printers ink did you use?

A Let me say first of all, that I manufactured the Notes in two different series, meaning there were some years in between when I made the first set and then a later set. The first set would have been around May and June of 1984 when the plates were made. Then later, just a few weeks before the bombings or actually a few days before the bombings I would have made another set in which I was trying to raise money and resorted to desperate means. One being to sell the Notes such as these.

Q To whom?

A I remember that we made the attempt. We sold some, I believe to Deseret Book Company. Also to Al Rust, as I remember.

Q This is the Deseret Currency that you sold to--

A Also to Ken Wooley, who else.

Q You sold some to Deseret Book on October 5th?

A Yes, that would have been the later production, when I made some new Notes.

Q The plates--

A Yes.

Q Where are they?

A The plates were on the top shelf in the closet of my downstairs office until I destroyed them after returning home from the hospital after the bombings.

Q How did you destroy them?

A They were burned in my fireplace. The metal burns a bright white, incidentally, but I knew that it was flammable, the wood backing and also the metal and that was their fate.

Q Did anybody in your family know you did that?

A They knew I had a fire but not I was burning plates in that fire.

Q Where was the fire in your home?

A In my fireplace in the front room. People were there when the fire was going. My children, my wife was there but they did not participate in helping me in constructing the fire and they thought it was a lot of fun to have.

Q How did you get the plates in there without them knowing it? In the fire, I mean.

A The back plate of, the back side of the plate is wood and I did not expose the other side and I just put them in. Probably my wife wasn't there. My son was there when I was doing it, when I was building the fire and since he is young, just turned six, I wasn't afraid of him seeing anything or understanding anything and I put them up in smoke.

Q Was this when you were still in the wheelchair?

A Yes and no. I was able to jump around somewhat

on one leg before I really went on crutches. But it was in that time period where I would have been out of my wheelchair, when I went downstairs. I obtained them the first time I went downstairs which would have been a few weeks after I returned home, I imagine. I wouldn't have gone downstairs in the wheelchair, I would have slid down the stairs on my behind. I went in the room, in my office and whatever incriminating evidence that wasn't already taken I put in a bag and probably that same night is when I built a fire.

Q That was my next question. Was there anything other than the plates that you destroyed that night in the fire?

A Yes.

Q What?

A There was a negative/ It was a negative that I used to print a postmark from Far West. The negative I used to make the plate to print the postmark.

Q On the Joseph Smith to Hyrum Smith letter, saying Hyrum, come out to Far West and you will find riches and that type of thing?

A That happens to be the exact one.

Q Anything else that you destroyed that night?

A Yes.

BREAK FROM 3:55 to 4:00 P.M.

MR. BIGGS: Back on the record. Can you tell one of your fakes from an original? And obviously that has to do directly with with 1, 2 or 3?

A Yes.

Q Do you remember this: Are there any original 5, 10, 20 or 50 or 100s?

A No. And if there were they would certainly differ from my creations. That would be a little bit too much of a coincidence.

Q Can you recall how many sets you sold? Full sets, let's start with full sets, 1 through 100?

A I believe there were only, there are only two or three 100 Dollar Notes that I sold. The Church has one, Al Rust has one. Does Dick Marks have one? Yes, he does.

Q I don't think so.

A He doesn't, huh? I thought he had a complete set. Yes, only two, maybe three 100 Dollar Notes.

Q Is this the Al Rust 100 Dollar Note?

A This is the Church's, I guess.

Q Yes.

A Do you have the Al Rust stuff there or Dick Marks stuff there?

Q No. I think this is the set you gave to Tom Wilding?

A Oh, yes.

Q Not even a 5 or 10 or 20 or 100?

A Right

MR. RICH: Some day I'll have to get somebody to explain why it is all of these denominations, all reflect 100 dollars. How does that work? 100 dollars or 2 dollars in livestock. All of them reflect--

A Yes, the value of livestock.

Q Yes, the 100 dollars?

A I'll tell you off the record.

MR. BIGGS: All right. Where were these printed up? Especially, what location?

A I believe at that time I was living in the house that my wife is now in, well, I don't want that on the record, you know, where we are.

Q Unfortunately we know exactly where you live.

A But a lot of other people don't.

Q What technique was used to print the Deseret Currency Association Notes, and did that technique change from the first printing to the second?

A Yes. We were getting in to that, weren't we, as far as the ink. The ink I believe was of my own manufacture.

Q Are we talking about the printing ink or writing ink?

A The printing ink. Made with lamp black,

linseed oil that was heavily boiled, bees wax and that's all, probably.

Q Was this the first time that you had ever created, pardon me, prepared printing ink?

A No, but it was early.

Q One of your earlier ones?

A Yes, it was. I hadn't used it for very long previously.

Q What did you do after you prepared the printers ink?

A I rolled it on the plates and put the paper on top and packed it with several other sheets of paper or heavy paper. Put another piece of metal on top and used a C-clamp to apply the pressure.

Q One clamp?

A Yes.

Q Were the plates separate? That is, to say one plate for 1, one plate for 2, one plate for 3?

A No, they were all together, just as they appear on the negatives.

Q Did you print them up that way?

A Yes. I would have, hopefully had a big enough piece of paper to cover all three Notes. Seems I didn't and just printed one or two of them at a time.

You asked if I just used one C-clamp. I did

but I may have moved it, you know, printed one half of the plate or one part and then the middle and then the last of it or something. The ink sticks to the paper so there isn't a problem of it shifting around during the printing process. In fact, as I remember my biggest problem with printing these, because of the thinness and fragility of the paper, I remember several of them ripping or tearing as I was trying to remove them from the plate because of the adhesion of the ink.

Q Then did you write on them with handwritten ink, the signatures?

A Yes. Probably I would have sized the paper first to prevent too much feathering, although I did allow some feathering, at least on some of the Notes, because that appeared to be a characteristic of the genuine item.

Q What did you do with them after you got them off the plate and signed them?

A I would have probably sized them with a fixer. I don't know another word for it. It's used by artists who draw in charcoal or chalk. Sprayed it on the paper to keep it from smearing. Again, that would have been obtained from Reuel's Photo Blue. Then after the ink was applied that fixing would have been removed in an acetone bath. The ink would have been aged. Probably the first ones would have been, the first grouping that I did would have been in

hydrogen peroxide and then the latter I would have used ammonia.

Q That's it?

A Then I would have folded them up or stomped on them or done something to make them look old or tattered.

Q How did you cut them up from the plate?

A I would have even, before writing on them by hand, I would have used scissors or a razor blade or something to separate them.

Q Do you have any independent recollection off how you did it?

A This one here was a razor blade. The one I am looking at.

Q That is the Church-owned set?

A That's right. The Church's 100 Dollar Note. I'm looking at the top edge. Looks like I used a razor blade on that. Although some of the other cuts look like they may have been made by scissors.

Q The signature of Brigham Young, where it does appear on some of the Deseret Currency Notes, is this the first time that you had attempted a Brigham Young signature?

A Probably not.

Q How well did you do on the Brigham Young signature, on the Notes that you can see?

A Some of them are better than others. A couple

of them might have passed experts but most of them wouldn't have. Although again, that wasn't a great consideration since it would not be surprising to historians if Brigham Young had them signed by proxy.

Q How about Clawson's signature?

A It follows the general pattern of the original. What do you want to know?

Q Your opinion of it.

A If it would have fooled me or not?

Q Yes.

A Some of them might have but most of them certainly wouldn't have.

Q To your knowledge were any of the sets that you sold looked at by experts?

A What kind of experts?

Q Any.

A Yes.

Q Who?

A I would consider Al Rust an expert on Mormon money. I feel like I even have some expertise in it.

Q How much were the sets sold for by you?

A I might also add that John Ford is considered by many to be an expert.

Q Did you sell a set to him?

A He obtained a set that I sold through another

party. Not a complete set, however. I believe he's missing the 100 Dollar Note.

Q Those are your creation?

A Yes.

Q The ones that Mr. Ford has? Where does he live?

A He commutes between Arizona and New York City.

Q Anyway the question was amount sold for.

A Various amounts.

Q A full set, start there.

A Well, let me price them separately and you tell me what they add up to. 1 Dollar Note would have been $1,000 to $1,500. These would have been the top prices. The 2 Dollar Note would have been about the same. 3 might have been closer to $1,500, maybe even more than that, up to maybe $2,000. The 5 Dollar Note is a definate $2,000 to $2,500 Note. As is the 10. The 20 Dollar is good for $2,000. 50 Dollar is $2,000 to $2,500. The 100 Dollar is probably in excess of $3,000. So a full set, at least until it became known that there were so many multiple copies around, would have been worth a lot of money.

Q Been 15 or $20,000?

A Maybe that, yes.

Q Do you recall selling it for that amount?

A I'm sure that I did. That I sold or traded in

that range.

Q And none of these Deseret Currency sets where done with a printing press?

A That's correct. I could easily show you how they were done if I had those simple materials that I described. Namely a fairly thick piece of sheetmetal, copper, the plates, paper and some sort of backing of either a thin cardboard or paper.

Q I think we've covered that. Anything else, Mark, you want to say about the Deseret Currency?

A Nothing that I want to say.

Q Do you want me to ask the question differently next time? Is there anything else that could be said about the Deseret Currency that we haven't yet described?

A Not that I can think of.

Q Okay, let's see go on to another one then.

A I could always say the easiest distinguishing characteristic of the fakes.

Q Is what?

A The ink tended to be more of a yellowish or rust color than what I have seen on the originals. Meaning the handwriting ink. There's also, if someone was acquainted with it some difference in the paper.

Q I was going to talk about the Immigrants Guides but I haven't got them here now so I'll do that next time

because Immigrants Guides are pretty close in time to the Deseret Currency.

Now, we have you flying from Denver to Kansas City but let's go on to something else on that.

How about the Emma Smith, and more specifically the last page. Let me talk--

A Let me talk to Brad for a second.

DISCUSSION HELD OFF THE RECORD

MR. BIGGS: I've shown you what is a negative of the last page of the Emma Smith Hymnal acquired by DeBouzek Printing. Could you turn that over for me, Mark? I think the receipt is on the reverse side.

A Yes.

Q The date, March 21, 1984?

A November 21st.

Q Pardon me, can you recall that transaction?

A Yes.

Q Tell me what happened. Well, forget that. Where did you get the artwork that you took in to DeBouzek on November 21, 1984?

A I obtained it from a Xerox of that genuine page.

Q Where did you get a genuine page?

A It would have been the Mormon Church and I'm trying to think, it may have been an original book or it may

have been a facsimile edition of the Reorganized Church printed sometime ago.

Q Where did you get it?

A Probably it was the facsimile.

Q Where did you get the original without the final page that you typed in, the final page?

A From Lynn Jacobs.

Q One of the things Lynn Jacobs was so adamant about early on stating that he felt that he, that you could not be a forger is number one, he didn't think you had the capability, but number two, on the Emma Smith Hymnal he said he created this last page from a Xerox and typed it in to the book.

A That's right.

Q Can you tell us how your printed page got there and his Xerox got out of it?

A Rather simply. I took it out and put mine in.

Q Did you use the same piece of paper?

A No.

Q What piece of paper did you use for your printing?

A In fact, the piece of paper which Lynn Xeroxed on is still in existence and you probably want to know where.

Q I would, yes.

A I gave that to Ron a long time ago. Before the preliminary hearing. He has that now.

Q Mr. Yengich?

A That's correct.

Q And that is the piece of paper that Lynn Jacobs Xeroxed the final page and typed in to the book?

A Right.

Q And your piece of paper that you used to print the last page of the Emma Smith Hymnal, where did it come from?

A I took his book and carefully looked for an end page at the University of Utah which had the identical texture and thickness. When I say texture, I mean the same weave. You hold it up to the light, it looks the same and that's what I used.

Q But it would have had to have been cut down to that size, right?

A It was.

Q How do you make it look like it's been in the book for a hundred years?

A A number of processes.

Q Which ones did you use specifically on this one?

A That's what I'm going to talk about. Let's say that this is the, well, the edges of the book have to be

trimmed to the exact size. Then it is necessary to make them look like they have had some use, the edges. You do that by taking the page and bumping it on a table to flatten out the edge and eliminate the cut marks. The edges have to be browned, which is done by an iron, a clothes iron which you put against the iron for a few seconds, which this work is done while the page is actually in the book as far as bumping the page or making it appear to belong to the book. As far as the other characteristics which would make it look like it belonged to the book, would be the staining and marks that appear to match the facing page. As I remember it also had water stain on it which matched the book.

Q How did you do that?

A As I remember the page was a little bit too wide to begin with so I heated it in an oven until it became as yellow and identical with the other pages and then another water stain is easy to apply with a Q-tip and the way that the water spreads it leaves what we call a tide line on the paper, and it can be made to correspondence to the other tide lines or markings in the book.

Q Did you do that on the Emma Smith Hymnal?

A I believe that I was very skilled at doing this sort of thing as far as matching pages. I did it numerous occasions and I can't really remember what exactly I did with the Emma Smith, although if I saw it I could show you

the different characteristics.

Q I'll bring it and we'll go again over specifically what you did.

A I didn't mention the other edge of the paper which faces in to the spine of the book which also needs to match and which I do or I have done using sandpaper. It's hard for me to describe how this works on a cassette but it's a rubbing process with the sandpaper which basically tears the very edge of the paper. An Xacto knife would have been used to mark that edge where the string lines are. There are undoubtedly other techniques that were used that I will show you when I see the book.

Q Did you ever tell Brent Ashworth that you typed in the final page?

A No.

Q What did you get from him for that Emma Smith Hymnal; do you recall?

A I believe it was part cash and part trade. I believe I got around $5,000.00. Is that right? $5,000.00 check from him and I can't remember the trade but as I remember from his testimony at the preliminary hearing he was accurate.

Q Did you print more than one of these last pages of the Emma Smith Hymnal?

A There's a possibility that I printed one and

was not satisfied with the intensity of the ink or the printing and would have made another impression on another piece of paper or on a different end sheet from the same book or something. I really can't remember that.

Q Same printing process on this last page of the Emma Smith Hymnal as in the prior Deseret Currency and Spanish Fork Notes?

A Yes.

Q And it was done physically where?

A It would have been done in my office in my current house.

Q Where is the plate?

A It would have been destroyed probably the same day that I made the impression and is no longer in existence.

Q Brad, anything?

MR. RICH: No. How long did this whole process take?

A What process?

Q Creating and typing in the page. Sounds incredibly laborious.

A It is. Probably a full day.

Q It would take me longer than that.

A I forgot to mention that I also improved the detail on the original artwork with a technical pen in the

same process I described before on the Deseret Currency Notes.

MR. BIGGS: Anything else that you can think of that is of material importance to the Emma Smith Hymnal Spirit of God, last page?

A The thing to emphasis is that what I am describing is my usual technique in typing pages in. I don't remember specifically typing this one in. Like I say, I've done it to a lot and it may be that-- I would have to see the page to tell you the different processes that were used. I don't remember specifically doing this work as opposed to the dozens or possibly hundreds of other pages that I've typed in.

Q All right.

A This is not one of the charges is it?

MR. BIGGS: Let me see.

A It is not. I already know that.

MR. RICH: Came in at the preliminary hearing.

MR. BIGGS: I'll tell you why it came in at the preliminary hearing and I'll tell you why it is part of the case, at least in my opinion and your attorney can discuss this right after.

The Austin Lewis Stamp that appears in the Jack London First Edition, Call of the Wild, was the stamp prepared at Salt Lake Stamp under the name of Mike Hansen

with Mr. Hofmann's fingerprint upon it. The plate was used to print, the handwritten inscription was obtained through DeBouzek Printing under the name of Mike Hansen and, of course, the Mike Hansen connection in this particular case is of some significance to the case. Now, that is the reason I think we should talk about it. If you want to hold off until Mr. Yengich comes, that's fine.

MR. RICH: Let's do that. I know it's something Ron feels strongly about.

A I don't think there will be a problem in talking about it.

MR. BIGGS: Okay. Now, would your feelings be the same on the Immigrants Guide?

A Yes. We'll wait until Ron is here.

MR. RICH: We'll wait to see what he wants to do with it.

DISCUSSION HELD OFF THE RECORD

MR. BIGGS: Back on the record. Let's begin speaking, and certainly I don't think we'll get done in a half hour with the Oath but let me give you what I've got on that and see how far we can go. I'm showing you a, what looks to me to be a plate on a piece of wood.

A That's what it looks like to me too.

Q And I'm also showing you a negative and a Velox and a receipt of another document titled the Oath of a

Freeman. And a kind of oldish looking printed document.

The Oath of a Freeman, let me start with the Oath, if I can describe it as that. Do you have any familiarity with that?

A Yes, I had that made and printed.

Q Okay, I'll show you the receipt under the name Mike Hansen, 448-4584

Q Did you use the name Mark Harris or Mike Hansen?

A I would get the word Hansen was used, but Harris was written down but it's hard to me to say.

Q Is that your telephone number?

A I believe that used to be one of my telephone numbers, yes.

Q I'll tell you right now it is. Also there is a $2 check written on your checking account around that same time. Do you happen to know what the $2 was for? To DeBouzek Printing, I'm speaking of.

A The only thing I can imagine would be I only had $45 with me and it looks like the cost of this was $47 so I would have, or when I had $45 with me, I mean in cash, so I would have written a check to make up the balance.

Q Where did you-- The problem is, of course, that DeBouzek doesn't know for sure. They don't have anything for sure for $2 so they said obviously he didn't have enough

cash. The Oath of a Freeman that starts out the first line, "Give thanks, all yee people give thanks to the Lord". Why did you have that done?

A My intention was to use this, a printing from this at Argosy Bookstore in order to, well, my intention was to smuggle or take into Argosy Bookstore a printing of this priced at $25, which I recall I wrote on the back. And purchase it for $25, getting a receipt from them with the title Oath of a Freeman on it and use that receipt in order to establish a provinence for the document, which actually was not used. I decided I did not like the appearance of this document so I made some new artwork and copied with a photocopy machine, on to a piece of old paper, my version of the Oath of a Freeman, and I used that for the purpose that I originally intended to use this one for.

Q Similar technique to the one that Lynn Jacobs described?

A Yes. He taught me that technique. Now, I don't know if you want this on the record or not but Lynn Jacobs, as far as the technique he used was not to defraud, you know, so I hate to associate him with any forgery techniques since he was not a part of any of this.

Q So that is the plate that you had prepared on March 8th. You didn't actually use the printed material from that plate to salt, if I may use that term, Argosy

Book?

A That's a good term. No, I did not. I used the same idea but not this identical printing.

Q Why $25?

A Having looked at items on the second floor of Argosy Book in their Broadside or print, or engravings department, that seemed to me to be a reasonable price for what appeared to be a 19th Century document of this type.

Q Why is the Oath of a Freeman title so much larger than the body?

A That is the title.

Q Any intent on your part?

A Yes. It is common to have a title larger than the text and I believe that on the document that I salted Argosy Bookstore with, which like I say, is not identical with this, also had a larger title than the text.

Q What are the differences between the one on the Velox and the one you actually ended up Xeroxing and salting into Argosy Book?

A It's smaller than this one and I got the text from another source. It wasn't this poem.

Q What is the source of that poem, by the way?

A Again, I had another cheap 19th Century print which I believe I cut up or either that or I Xeroxed it off and cut it up from what appears to be a poem or song.

Q And that is what you actually did salt in Argosy Book?

A Yes.

Q Okay. I don't have--

A Now when you say that's what I actually salted, not this but the other thing I used, yes.

Q Right. I should be more specific when I say those things. Now, March 25th, 1985 there's receipt, M. Hansen for Oath of a Freeman. No, I don't have it, the receipt or the negative and I don't know where it is but it's around. Is that you as well?

A Yes. The receipt would have been for a plate similar to this, yes.

Q It had a little disclaimer on the bottom. Did you type that on there?

A I typed it on a piece of paper and put it on the artwork, that's correct.

Q Did you take it off of that plate before you printed up the Oath?

A Before I printed this one I did, yes. I am not sure what the margins are around the other one. That is in New York City still, I presume.

Q You presume correctly. They're still holding on to that. After you got the plate of the Oath of a Freeman that you used to print the Oath of a Freeman--

A I know what you mean.

Q What did you do with the plate on March 25th, 1985?

A I am not sure if it was on that day but soon thereafter I used it to print.

Q If this will refresh your recollection, I can tell you that approximately between 6:00 and 7:00 a.m. the next day you were on a plane to New York.

A Yes. I probably would have stayed up all night printing, which actually would only take a few minutes but then aging the document, manufacturing ink probably at the same time, both the printing and the writing ink.

Q How did you prepare the printers ink for the Oath?

A I knew that this document would be scrutinized so I took pains to assure that the ink would not differ from the 17th Century printing ink. I manufactured the ink. I'll go in to the process I used but I don't know if you want it on the record.

Q Heck, why not?

A Off the record a minute.

DISCUSSION HELD OFF THE RECORD

Q You were describing for us the ink manufacture.

A Yes. I got some, I obtained some paper from the same time period, approximately.

Q Where?

A This paper would have probably come, would have definitely come from Brigham Young University Library. The paper did not have printing on it, which I guess they'll be happy to hear that. That paper I burnt in an apparatus to make carbon black. The reason I went through this trouble is because I thought that there was a possibility that a carbon 14 test would be performed on the ink.

Q Do you know what book this paper came out of that you used to produce the carbon black?

A If you want to take me in shakles to the library I could point it out to you but I don't know that I can describe the exact location.

Q Are there 17th Century books just sitting on the shelves?

A Yes, there are. Mostly they would have been of a religous nature. Early religous books aren't particularly valuable. But yes, it is possible to just get them off the shelf.

Q Go ahead.

A The apparatus that I used had a glass tube chimney which caught the carbon and that's how I accumulated it. It was mixed with a linseed oil.

Q Any special linseed oil?

A It would have been chemically, it was

chemically pure linseed oil which I treated to some extent.

Q How did you treat the linseed oil?

A Well, I'm going into all of this. You are just dying to hear this; aren't you. The linseed oil was heavily boiled, which thickens it and then it was burned.

Q Why?

A I was basically following a recipe from 17th Century ink making recipe.

Q Where did you get that?

A From a book. I know you will ask me where I saw the book, which I again, I can probably find for you but I can't describe. I believe it is on, it's a microfilm book from that time period in the University of Utah Library but I can't remember the title of it.

Q Okay, go ahead.

A I also added some tannic acid or at least a solution of tannic acid which had dried. It was made from a leather binding from that same time period which had been boiled in distilled water until it turned a nice brown color. There's also some bees wax added, just ordinary bees wax, nothing special to it, and I believe that's all.

Q And that made the printers ink?

A That was the printers ink.

Q After you made the printers ink, you have the plate, picked it up on the 25th, you're at your house where

you lived?

A Right, I was downstairs in my office and printed it. I would have rolled the ink on to the plate. I would have put the paper, that I haven't yet described where I got that, on the plate. A piece of felt behind it, another thick metal copper plate on top of it all and pressed with a C-clamp.

Q A C-clamp?

A A C-clamp.

Q One clamp?

A A single C-clamp, as I remember. Again, it may have been moved around.

Q Did you have only one piece of paper at that time to print on?

A Yes, I did.

Q Were you a little concerned that maybe you wouldn't get it right the first time?

A I don't think so. For one thing this was the first attempt by the Day Print Shop to make an impression and if it was crude or didn't look quite right I didn't think it would be too great of a concern.

Q Did you alter the plate in any way? Grind down any of the letters?

A Yes, I did.

Q Why was that done?

A For a couple reasons. One being so that it could not be identified as being printed from a zink plate which I guess is the best reason of all why I did it.

Q How did you do it?

A First of all, the whole plate would have been treated in some process with iron wool to round out the corners of the lettering. Some of the letters would have been ground even finer with a small drill containing a fine grinding tip stone. In fact, I believe that was done first and then afterwards the whole thing was iron wooled.

Q Any rhyme or reason to which letters were ground down by you?

A None that I remember, although-- In other words, it doesn't seem it was too random but I can't think of how I--

MR. RICH: Did you test out your final product on a piece of modern paper to see how it looked on the paper?

A Yes, I'm sure I did.

MR. RICH: He's a lot bolder than I am. A lot of things he just did it, knew worked and went ahead and printed it. I would take a ream of paper and go through it to be sure it worked.

A You tell me what I did do.

MR. BIGGS: I wish we could remember it

specifically. I remember reading in the Library of Congress analysis that went on for umteen hundred pages, they say it obviously came from printing letters because they were different. They pressed on the paper in different amounts and so that it was down further in to the paper and so forth.

A Part of that would have been the uneveness of the pressure applied by the C-clamp which again is typical, I believe of the crude printing that would have been done. And the other is I believe that too, some letters I purposefully ground down. I can't remember though how or what method I used or how I decided. It may have been random but I can't remember how I did that.

Q The paper that you used, 17th Century piece of paper for the Oath?

A Right.

Q Where did you get it?

A I had previously looked at a copy of the Hymn book, a genuine copy. I also studied a microfilm of it which showed the laid lines in the paper and my effort was to duplicate those laid lines which in going through numerous volumes I succeeded in doing. The paper I believe was in, within five years of the date. It's very close to the date of the alleged or it least the, not the paper, I shouldn't say but the printing that was put on the paper is

very close to the date that the Oath of a Freeman would have been printed.

WHEREUPON, the interview was adjourned at the hour of 5:00 p.m.

INTERVIEWS
CASE OF STATE VS. HOFMANN

FEBRUARY 11, 1987 through MAY 15, 1987

(MARCH 17, 1987)

March 17, 1987 - 9:25 A.M.

PRESENT: MR. DAVID BIGGS, MR. MICHAEL GEORGE
MR. BRAD RICH

MR. BIGGS: The day is March 17th, the time is 9:25. Present, Brad Rich representing Mark Hofmann; David Biggs and Investigator Sgt. Mike George.

MR. RICH: We ought to say Mike George is here, in direct contravention to the instructions of Mr. Yengich, on his good behavior and if this appears in the Trib tomorrow morning, Yengich will have us both killed.

MR. BIGGS: Off the record.

DISCUSSION HELD OFF THE RECORD

MR. BIGGS: Mark, just a couple things to clear up some possible confusions and at any rate, we brought two Niles National Registers for you to look at and obviously both of them have pages that have been removed but do you recognize any, do you know whether or not you used the Niles Registers on any of your forgeries?

A Yes, I did. As I indicated it was used. End pages or the blank pages at the beginning and ends of the books were used for the so-called Salamander Letter, the 1829 letter of Lucy Mack Smith and the Josiah Stoal 1825 letter of Joseph Smith.

Q The two that we brought, any specific recollection of either one of those two?

A No, I don't recognize the particular volumes but I presume that these, since they are missing end pages, Volume 2 is missing pages out of the front and Volume 6 is missing end pages, which it has been rebound as missing two end pages out of the front.

Q Were they in that specific collection when you were using the pages or were they just on the stacks?

A They were on the stacks I believe on the 5th floor of the University of Utah Library.

Q We also brought a large Bible dated 1870 something and wondered if you could personally and particularly recognize it as being the source of the paper for the Anthon Transcript?

A No. It definitely was not the source of the paper for the Anthon Transcript.

Q When we ended last time we were discussing the Oath of a Freeman and I brought some things today that I didn't have last time. I finally got my investigator out of bed and he was able to find them for me. You will see on this sheet is the negative of what is entitled the Oath of a Freeman. It's about 4 by 7 and on the other side is a receipt. Least start with that receipt. Do you recognize it?

A No, I don't recognize it but I presume that is the receipt that was written out at my direction.

Q And it's in the name of Mike Hansen?

A That's correct.

Q Did you use that name?

A Yes.

Q The date is March 25th 1985. Is that date recognizable to you?

A I'm pretty bad with dates but that is undoubtedly the date that I ordered this negative or a plate made from this negative.

Q One other thing that we made reference to last time but I didn't have with me. Back on March 8th when you had the DeBouzek Printing Company print up a Oath of a Freeman, which was actually the Presidential Oath--

A Yes, that's right.

Q They received this as partial payment.

A Yes, a $2 check from me from Rocky Mountain State Bank.

Q And that was in discussions having to do with the fact that you probably only had $45 and the bill was $47?

A That's what I said.

Q But you don't have any recollection of it?

A I have independent recollection of using a check when I ordered some plates from Kansas City for that purpose. Meaning that I had insufficient cash. But I

really don't remember the exact purpose for this check although I can't think of any other possibility.

Q That would have been the, Kansas City would have been the Immigrants Guide, would it not?

A That's right.

Q Now, let's turn over and look at this. Do you recognize that?

A I don't believe that I ever saw the negative before but I certainly recognize the photograph.

Q What is it?

A It is the Oath of a Freeman, meaning the one with the border around it that purports to be from the 17th Century.

Q Who created the artwork from which that negative was produced?

A I did.

Q Now the receipt for the preparation of the plate says March 25th. How long did it take you to develop the artwork that you took in on the 25th for DeBouzek to make the plate from?

A Several days. Probably more than a week.

Q How long had you been developing-- Maybe the best word to use would be how long was the conceptual stage for the Oath of a Freeman?

A Probably more than a month before I actually

began working on it. Meaning in that time I was doing research on it.

Q Where primarily was the research done?

A I started out in the University of Utah Library. They have a printed facsimile edition of the Bay Psalm Book. Also have a copy, I believe, of two different volumes of that book on microfilm. I studied all three of those sources. In fact, that is the source of the type that was used in preparing the artwork. I also used it to research such things as the spelling of words, the characteristics of the printings.

Q Let me show you something that was taken from your materials. Are you familiar with that?

A Yes, this would have been, I believe a Xerox of a Xerox of the Oath.

Q Now is that your Oath? That is to say, after you had the artwork done and the plate made up, did you somehow enlarge a Xerox of that or does this come from another source?

A Yes. This would have been, I believe, a Xerox of the Oath which is possessed by Justin Schiller which I enlarged after making the forgery in order to show parallels between the Psalm Book and the copy of the Oath.

Q There's been quite a lot of--

A Let me read this for a second.

Q Sure. There's handwriting on the left side. Is that your handwriting?

A Yes, it is. Yes, I believe this would have been composed by me after the forgery had been completed.

Q Okay, now Mark, there's been a lot of contention about actually where you got, how should I put it, the body of the text.

A Yes, that's also some of the research I did at the University of Utah Library. I found two or three different sources for the Oath, all of which varied slightly in words and so forth.

Q Can you recall those sources?

A What I thought was the best source, the earliest source was a journal of, I believe one of the governors in the Massachusetts Bay Colony. If I heard his name I could probably tell you if that was correct or not.

Q I can't remember. I can remember reading about a couple of governors. Was it an actual reprint of his journal?

A Yes. It was a type script, copy of the journal.

Q At the University of Utah Library?

A The University of Utah Library. It's on the 4th floor, north wall. If you took me there I could walk you right to it. I keep saying that to get out of the

prison. If you want to take me for a field trip, I could walk you to it.

Q We very well might do that because we have not been particularly successful, from the Bible at the USU Library in finding the sources you've described to us.

How did you come to that source? In the card catalog or how?

A Yes. My first search would have undoubtedly been in the card catalog, although I'm not sure if you look under Oath of a Freeman it would be listed there. What I did was research the early days of the Massachusetts Bay Colony and in going through early journals and other references, not only to get an idea of the early printing done but also the, what I believe to be the composure of a legal document such as this. In going through as much material as I could find I came across an early version which was probably taken from the original, first edition of the Oath in the journal.

Q And you don't remember the name of the book, the journal?

A Let's see, I remember there was a journal was one of my sources, which I believed to have been taken directly from the original Oath, printed Oath. I also remember a copy of the actual laws which were passed in this period. There was a copy of the Oath which was ordered to

be printed and the words that were, what the Oath consisted of, the actual wording. That was another one of my sources. I think I described before in how I composed the characters in the Anthon Transcript. I have, I think some knowledge of how a document is, the sections examined and it is put in a chronological sequence with the other versions or sources of the Oath. My purpose, of course, was to make this the first printed version. It differs from any of the other single sources that I used and that was my intention.

Q Okay.

A So in other words, you would not find the exact wording in any source that you see here in the composure which I made.

Q So your composition intent is similar to your composition intent in the Anthon Transcript?

A To make it look like it was the first printed source, that's correct.

Q Now the border?

A I tried to make it look like it was after the text approved by the either legislature there, but before any other printed source. In other words, to make it look in between that so that it fit chronologically in between those.

Q Did you do that with the spelling of the words to some extent?

A To some extent. The spelling I believe reflects the spelling of the composer who composed the Bay Psalm Book.

Q How about the border?

A The border also came from the Bay Psalm Book.

Q I have somewhere in this book of mine here a page from Book 4 of the Bay Psalm Book and it has, or appears to have--

A Yes, this is the page of the 90th Psalm and it has the same type face as what I used in creating the border. Particularly look at the right, the furthest right character on that page. It is identical to the characters which I composed in the border of the Oath.

Q How is it physically done?

A Pardon me?

Q How is it physically done? Tell me the process by which the very last character of the 4th Book, Psalm 90 Book, the border--

A These designs also appear in other pages in the book. It was a simple matter of Xeroxing from the facsimile of the Psalm Book several Xeroxes of the pages which I wanted to copy the flourishes or designs. I then used a razor blade, actually an Xacto knife to cut out the letters and the designs that I wanted. I glued them on a piece of paper and that was on, and then after they were glued on a

piece of paper I Xeroxed my composure and that was the artwork which I took into DeBouzek. I didn't mention that I used glue. I cut them out, I put a little dot of glue on the back and stuck them on the piece of paper using lines on the paper on which I was composing, to line up the letters.

Q I think you told me this but tell me again because I've obviously forgotten. The type face for the body of the Oath of a Freeman, where that came from?

A Came from the Psalm Book also. The Bay Psalm Book.

Q Any particular place or just where you could find the appropriate letters?

A Where I could find the appropriate letters that were distinct. Back in those days when they set type it was done differently than we do it now. One of the techniques they used after they set it was to drive it into a piece of wood using a wooden mallot, which obviously deformed a lot of the letters. My intention was to choose letters which could not be identified as being the exact letters used in the Psalm Book. I guess, first of all I should say that it's fairly common in valuable books to have several. Several centuries ago, they can identify, the experts I should say, can identified the person who made the font. Also, if the same exact letter type was used more than once in setting up the book and in other books printed by the

same printer. In fact, they can even tell if it was a printer that went out of business, who he sold his type to by another contemporary printer who used the identical type.

All these features were taken into consideration. And after cutting out the letters, pasting them on a sheet, then making a Xerox of that artwork, I used a technical pen. I think I described that before. To actually deform some of the letters the way I wanted, which are different, the deformations, than what exist in the Bay Psalm Book. In other words, knowing that an item of this importance and value would be very closely scrutinized, I took all precautions I could think of to mislead the experts who would examine it.

Q On the negative which, of course, you had not seen, but the plate came from that negative, there's a little disclaimer down at the bottom.

A Yes.

Q And did that come out on the plate that you picked up from DeBouzek?

A That was on the plate, yes it was.

Q And when you printed your Oath of a Freeman, which you took back to New York, how did you get rid of that statement at the bottom?

A I believe that when I took it to New York I was in such a hurry to print it up to take it the next day, I

don't believe that I removed that disclaimer, as you call it, on the bottom. I believe that I trimmed the Oath down, which Schiller owns or has possession of. Strike the word owns, will you? I believe that I trimmed it. Trimmed the bottom off it to such an extent that it would not appear, although it was probably printed on the piece of paper. On this Oath which you got from Wilding it was obviously removed. I can't remember exactly when I did that but I must have. I probably ground it off or I may have cut it off with a hacksaw.

Q I may be getting ahead of myself but how many--

A In fact, I did cut it off with a hacksaw, as I remember.

Q How many original forged Oaths of a Freeman did you do in March of '85?

A Just the one, which is possessed by Justin Schiller.

Q So the one you gave to Wilding, Jensen, et al., that was done after at a different time?

A Yes.

Q Than the Justin Schiller?

A Yes. That would have been done probably the day before Wilding received it, much later. I had no intentions at the time that I produced the Oath, which is now in New York, of ever producing another one. However, I

still had the plate and I was at that time under considerable pressure to satisfy Wilding, et al. And that is when I produced the other copy of the Oath. My intention was never to let it be marketed.

Q What was your intention?

A Thinking that that would be too great a coincidence to have two copies of the Oath. My intention was when the Oath, owned by me, which was in the possession of Justin Schiller, when they sold it use that money and claim that that was this particular Oath and pay off my debtors, namely Wilding and company and never to have the second Oath known on the market.

Q And they would have given you back the second Oath?

A Well, yes. The original idea was that I would maintain possession of it anyway and so my belief was there would be no way of them nothing when one Oath sold that it was a different Oath than the one which they believed they had an ownership interest in/

MR. BIGGS: After you had the Oath printed, after you printed the Oath, now we discussed how you did it with a C-clamp?

A That's right.

Q And making your own ink but you don't recall, and I'm sure you told me, the process by which you went

through to locate the piece of paper that you actually used to print the Oath on, that Schiller and Wapner has in their possession in New York. Can you tell me again about that?

A Yes, I think I mentioned in looking at both the microfilmed copies and the original copy of the Bay Psalm Book owned by the New York Public Library that I determined how wide the laid line should be.

Q Is that another word for chain marks? I've heard experts say chain marks?

A Yes.

MR. GEORGE: I'm sorry Mark, what did you call it?

A Laid, L-a-i-d. The chain marks in this copy run vertically. The laid lines run horizontally. There's greater distance between the laid lines than the chain lines.

MR. BIGGS: Explain to me what a laid line is.

A The paper was hand made back in those days on a metal screen, on a copper screen at this period. The screen gave certain indentations on the paper and that is what those lines are. That's also how water marks were formed is by taking one of the wires and bending it to a certain initial or number or shape or whatever and having that on the screen.

Q Now, are you saying that the paper in the Bay

Psalm Book has lines that go both ways, vertically and horizontally?

A Yes. If you look at it you will see that that is true of all laid paper. Any paper before around 1795 has that and around 1795 is when they started using a wove-type screen.

Q The vertical lines are very close together on that paper and the horizontal are further apart.

A That's correct. Anyway, in studying the paper I determined the spacing which should exist on the laid lines, the horizontal lines, that run furthest distance apart. And with that knowledge I looked through several books from around the same period of time, 1620s, in an effort to locate a piece of paper which would match the dimensions which the Bay Psalm Book has as far as the paper. The dimensions meaning the spacing of the lines, which took considerable effort. I started out at the University of Utah Library going through material. I then spent time at a couple other places, I don't know if I want to be on the record, but I succeeded in finding the paper at the BYU Library.

Q Which library is that?

A I believe it's called the Harold Bee Library.

Q Where at in that particular library?

A I believe it was on the 4th floor in the

southeast corner, or area. East of their microfilm section, which I believe is on the same floor as the microfilm. And I can walk right to it.

Q Can you remember the book it came out of?

A I can't remember the book but let me see, I believe it was a Latin book. Let's see, is that true? Interestingly, the book I am thinking of also has the same border flourishes that I used, the same font was used but it was from the same time period. It was printed, I believe in England. I can't remember for sure but it might have been in Latin.

MR. GEORGE: Latin did you say?

A Latin, yes and has the same flourishes but I am not sure if it was Latin or not, but I do remember it had the same flourishes which I thought was interesting.

MR. RICH: How did you extract these pages from these books?

A Buy tearing them out.

Q What did you do to finish the edge after you had it out?

A To finish the what?

Q The torn edge?

A The idea was, and with practice I succeeded quite well in tearing so it was rather difficult to see where the page was removed. Very close to the spine.

Q What about the page that was-- This doesn't show evidence of being torn out of a book, does it?

A No, it would have been trimmed. This is a very poor job compared to, at least in my opinion, compared to the copy that is in New York.

MR. BIGGS: For the record, what he is talking about is the second Oath printed by himself that was given to Wilding, et al. for collateral, correct?

A That's correct/

Q The Oath that you printed up in the evening hours of March 25th and 26th-- By the way, where was that printing done again?

A It would have been done in my downstairs office in my house.

Q There is a little something written on the back, on the verso.

A This is is the one in New York.

Q Correct.

A Yes, it's Elizabethan handwriting which says, as I remember, Oath of a Freeman, or something, Oath of the Freeman or Oath of Freeman, something like that.

Q Did you do that?

A Yes, I did.

Q When?

A Well, since I only had one night to prepare

that Oath it would have been done at that time. In between the time I picked up the plate and when I left the next morning to go to New York.

Q Why did you do that?

A The main reason would have been to give validity to the Oath. It would allow the document to be tested, not only for printing ink as far as the composition but also the handwriting ink on the back, on the verso.

Q What type of ink did you use?

A Ink of my own composure. Tannic acid, ferric sulfate, probably gum arabic and logwood, as I remember.

Q What did you use to write it with?

A Quill pen.

Q Well, is this the first time you used a quill pen?

A No.

Q You know, all of the others once we've discussed, we've talked about, you said steel nibb pen.

A Yes, I believe a quill pen was also used in the 1825 letter to Josiah Stoal and various other documents.

Q Did you create the quill that you wrote with?

A Yes, I did.

Q Out of what?

A A feather and a razor blade.

Q Any particular type of feather?

A I believe it was a turkey feather.

Q Where does one get a turkey feather?

A I wish I could give a better answer for that but I believe it was a feather which we just had in the house. I can't tell you why we had it. Let's see, I believe, no, this one-- I've used feathers before which are dyed, like the kind that little kids use to pretend like they're Indians or something. They seem to be the most common type for me to find. But this particular one, as I remember, it was a turkey feather. It wasn't dyed. In a drawer where I had, in fact, I can tell you the exact drawer since you have been through the house. In the hallway there's a cupboard in the upstairs hallway with two drawers. In the bottom drawer I have various nicknacks and odds and ends.

Q We found some batteries there.

A Yes. In fact, you left some batteries there also which I was surprised at. Some C batteries.

Q Where at?

A Even after your third search or whatever. It was in that same drawer.

Q Was the quill still there that you used?

A No. I would have, after putting a nibb on it, carving a tip and using it I would have, I believe, destroyed it. Let's see, I think I mentioned before that I

burned some material in my fireplace but I don't believe that I said that that was the common way for me to get rid of material. Just about whenever we had a fire in that fireplace I would put some scrap papers or other materials in a brown paper bag downstairs and bring them upstairs. Bring that bag upstairs and throw the whole bag in the fire.

Q After you wrote on the back-- By the way, did you print it before you wrote on the back or vice versa?

A I would have written on it after it was printed which can be distinguished, incidentally.

Q How so?

A By the oils in the ink keep, the oils in the printing ink keep the handwritten ink from the diffusing evenly. In other words, where the writing went over a letter, if you look with an ultraviolet light using a microscope you can see that that ink hasn't diffused as much as where it goes over a piece of paper which has no writing underneath it, no printing underneath it.

Q How did you know that?

A By the time I forged the Oath I considered myself a pretty good forger. I thought I had a pretty good knowledge of different techniques that would be used in analyzing it.

Q Had you ever done that, looked through a microscope under ultraviolet light at printed and written

material?

A Yes, I have. I've studied that. You will be interested to know that I also, even before the preliminary hearing, spoke to Ron about my fears as far as the cracking was concerned.

Q Oh, really? You had seen that cracking before yourself?

A Yes, although I didn't know the cause of it until the preliminary hearing as far as the gum arabic and undoubtedly when somebody reads this transcript they'll keep gum arabic out of the formula.

Q We are doing an invaluable service here I guess. Did you attempt to age the document after it was printed and the verso was placed on it?

A Yes. That's when I would have aged it. As far as the oxidizing of the writing on the back, the handwriting, I believe that would have been done with ammonia. It might have also been done with suction. I believe I described that technique before.

Q But it was usually hydrogen peroxide that you used?

A Well, the idea was to draw the ink through the paper as it was being oxidized. Incidentally, the chemical reaction in oxidizing ink is very complex but I know from experience using-- Let's put this off the record or you are

not even interested in it probably.

Q Off the record a minute.

DISCUSSION HELD OFF THE RECORD

MR. BIGGS: After your process was completed and you got on the plane at 4:00 o'clock in the morning on the 26th of March, where did you go and what was your intent?

A My major intent was undoubtedly to show a copy that I had produced of the Oath to Justin Schiller to excite him, as much as I could in New York concerning its discovery and make whatever efforts I could to sell it.

Q Did you have any inclination at the time that you got to New York how much you were going to sell it for or how much you thought it would be be worth on the open market?

A I felt it would be damn valuable. Yes, I had a good idea of what the Bay Psalm Book was selling for and I thought this would be at least as available as that because for one thing, it's an earlier, in fact, the earliest printing in the new world, or at least in English. There were a few Spanish items printed earlier. The actual content of the Oath concerning the rights of free men in America, I believe would make it equally as valuable. In fact, my belief was that it would be more valuable than the Bay Psalm Book.

Q Well, there was some talk at one time of placing it in a display case right next to the Declaration of Independence and the Constitution. Did you have any inclination it was going to be that big?

A For the reasons I just gave, it wouldn't be surprising. It is obviously a valuable historical document. I wasn't too concerned with having it displayed with the Declaration of Independence. My major concern was making as much off of it as I could.

Q Why did you use Schiller and Wapner? Why not just do it yourself?

A I had a good relationship with them and I thought that they were, they had better contacts than I in making whatever negotiations.

Q What was your initial negotiation with them concerning what they would be paid for acting as your agent in the sale of this Oath originally?

A Originally it was that if it sold for one million dollars or more, we would split 50/50 the proceeds. If it sold for less than a million dollars, I had a right to decline, in which case they were to receive nothing.

Q Was this a written agreement?

A Or in other words, I would keep it myself.

Q Was this in writing?

A No. It wasn't in writing, strange as it may

seem.

MR. GEORGE: So less than a million you had right of refusal?

A That's correct

MR. BIGGS: Any talk about who to sell it to or attempt to sell it to?

A Are you talking about originally or with the passing of time?

Q When you had these initial discussions with Schiller and Wapner?

A Yes. The original idea was on their part was that it was an item which belonged or should be sold to the Library of Congress.

Q Now, I'm going to show you a series of letters starting with, looks like May, well, April 8th. Library of Congress letter received from M. Raymond Wapner, Justin Schiller to be an authentic printing of the Oath of a Freeman, 1638, telling what it is they were going to do.

A Yes.

Q Did you see that letter?

A Yes, I believe I did. I believe that they sent me a copy of this. That Schiller/Wapner sent me a copy of this correspondence.

Q Now, when you found out what the Library of Congress was going to do to your counterfeit Oath, did it

cause you any concern?

A No. In fact, I was wondering why they weren't doing more extensive testing on it than this but then I was told this was just the initial work that was going to be done on it.

Q Now, I'll show you a letter, May 5, 1985, where the Library of Congress, John C. Broderick, is asking them to make an offer. I mean, that is to say, asking Schiller and Wapner to say how much they want for it and so forth. Were you familiar with that letter?

A Yes, I probably had a copy of this sent to me also but at least I would have been told about it over the telephone through Schiller and Wapner.

Q Now, this is after you had gotten $150,000 from Rust for the McClennin Collection in April of '85?

A Right, that would have been correct.

Q Now this is a letter of May 14, 1985 from Schiller and Wapner to Mr. Sullivan of the Library of Congress detailing what they wanted as far as price, as far as confidentiality and so forth. Did you help compose that letter or know the contents of what they were doing?

A No, I didn't know the contents of it except in a general vocal way with Schiller/Wapner. I pretty much gave them free ride to do what they could to sell it. I remember receiving a copy of this letter, however, or at

least seeing a copy of it while I was in New York.

Q May 23rd. The Library of Congress writes back to Schiller and Wapner telling them what has to be changed. "The price, 1.5 million seems to be excessive. However, we prefer to withhold further comment on the price quotation of 1.5 million until we have certain things", and one of the things they wanted was a little more on the provenance or some provenance at this particular time.

A Yes.

Q Were you aware of this letter?

A Yes, I was. I believe it's all a normal part of negotiations.

Q How did you feel about that letter? Did you feel that the Library of Congress was going to purchase it eventually or what?

A Yes. Schiller and Wapner indicated that they believed it would be sold to them.

Q For how much? Were you still thinking of 1.5 million?

A In that ballpark.

Q On May 30, 1985 we have a letter from Schiller and Wapner back to the Library of Congress stating what they accepted and what they didn't accept, sticking with the 1.5 million dollars as the price and on the provenance, upon agreement to purchase the document a complete and full

provenance as is known to us and our client, will be provided to the Library.

Had you given Schiller and Wapner the story that we discussed last time concerning the purchase of the Oath in Argosy Bookstore?

A Yes, they knew that when they first saw the Oath, that's where I purported to have received it or purchased it. They also had, I believe a copy of the receipt from Argosy Bookstore.

Q At this time, May 30th of '85, had they given that information to the Library of Congress, as far as you know?

A I don't believe so, although they may have done so privately, confidentially.

Q Were you trying at that time to develop any further provenance? Did it concern you they might not accept that as satisfactory?

A No. I had afterwards gone to Argosy Bookstore with a Xerox of the Oath and the receipt and talked to the lady who had allegedly sold it to me. Interestingly, she claimed to have recognized the Oath and I felt like that source was, or that provenance was secure as far as that's where I obtained it. She informed me that there would be no way for Argosy Bookstore to discover where they had received it since they purchased large collections and thousands of

items at a time and so I felt no one would know the source other than Argosy Bookstore. But I felt like Argosy Bookstore would acknowledge that this was the source where I had purchased it.

Q Do you remember the name of this lady at Argosy Book?

A No, but if you take me to New York I can point her out to you. There are two ladies that worked up on the second floor on the Broadside print map area. She is the older of the two. Schiller knows her name.

MR. BIGGS: You actually showed her a Xerox of your forgery?

A Yes. Well, in fact, it was even before I took it to Schiller/Wapner when I arrived in New York. I had the receipt with me from a couple two or three weeks earlier and I did not show them the, show her the original but I did show her a Xerox and the receipt and she said something to the effect that, of that is a pretty important discovery. But I don't believe she realized at the time how important it would become.

MR. GEORGE: Let me see if I can understand it. Prior to bringing the Oath to Schiller and Wapner, you went back to Argosy about three weeks later, showed her a Xerox copy of what you had produced to sort of entrench in her own mind that this is, in fact, what she had sold?

A Yes.

Q And then went to Schiller and Wapner with it?

A That's correct

MR. BIGGS: If she looked at it and said boy, I would have known if I sold him this and I never sold it to you and it was never in our collection, what would you have done?

A Probably have thought of a new source for the Oath. I wasn't fearful, however, because it really doesn't look anything outstanding like she would handle numerous items everyday.

MR. RICH: And you knew they didn't log stuff in originally?

A Right, I knew that and I wasn't fearful of any of this when I showed her the receipt. In fact, I believe it was all on the same copy. I believe I had a Xerox of this and receipt underneath it and I asked her-- My intention was I asked her, I told her I was interested in this Oath and I would be willing to buy further copies of it and she said that she would look. And she went through some material for a while with me or pulled out some material for me to go through and then afterwards I told her that I thought it was a valuable item and explained to her that the first item printed in America was the Oath of a Freeman and this might be the first one. And she said, that's nice, or

something like that, but it never entered her mind, I'm sure, although I tried to impress on her that it was extremely valuable. She made some comment about that other people had found some pretty valuable things there before.

Q Okay, now we go to a letter, June 5, 1984, Library of Congress writing to Mr. Schiller saying the price, the Library of Congress is not prepared to purchase this document at the quoted price of 1.5 million and provenance. You did not respond to this essentially important requirement. Before L. C. could agree to purchase this document we would have to receive evidence that your title to this document is clear and there are no conflicting claims. Your warranty referred to in item eight above would have to apply to both the authenticity of the document and the chain of title.

Did you get a copy of that letter?

A If I didn't receive a copy I was at least read that paragraph because I remember it.

Q Any problems?

A It didn't cause any problems with Schiller/Wapner so it didn't with me. They knew that we had no knowledge of its prior history before Argosy and the major concern wasn't so much with provenance but the possibility that Argosy, when they discovered how valuable it was they could somehow make some claim on it. Which

Schiller/Wapner attorneys said they could not make. In other words, that was lawfully mine.

Q What about the paragraph on the--

A It didn't-- This paragraph did not cause any excitement on Schiller/Whapner's part and therefore, I thought that it was not that important. That we could tell them it was attained from Argosy, that they have told us that they cannot tell us or give us, provide any information where they received it from so that's as good as it gets.

Q What about the paragraph on the purchase price, where they say, ain't going to buy it for 1.5 million?

A Schiller/Wapner were still quite certain that they would make the purchase of the document, I believe, at this point.

Q For the same amount?

A In that ballpark.

Q Now, we go to June 6th, '85 and Schiller/Wapner writing back to Library of Congress and saying the document, we want 1.5. Consequently this is to confirm the arrangements for picking up the Oath. If you guys don't want it for 1.5 we'll pick it up and sell it.

A Right.

Q Did you know this was going to be happening?

A Yes, I did.

Q What was the strategy behind that?

A Again, what I was informed was they were still very interested in it but rather than dragging out negotiations any longer than possible, this was considered the best strategy to actually pick up the document. There were a couple other institutions which had, who also had expressed interest in the document and when the option expired for the Library of Congress, I believe, let's see, I can't remember the Society for some strange reason, who had the option--

MR. GEORGE: American Antiquarian?

A Right, American Antiquarian Society had an option on it.

MR. BIGGS: American Antiquarian Society, June 6, 1985, is a letter to Mr. Schiller from them stating the conditions of possible sale, by Marcus McGarrison.

A Yes.

Q And then, of course, we have a return of the document on June 14th, 1985 from the Library of Congress and then the American Antiquarian Society writes on June 17th 1985. This is what we need, full proof of ownership, proofs independently developed by the agent on behalf of the owner of its authenticity?

A Yes.

Q Then there is some document on August 5th concerning, therefore and so forth. Okay, on August 12th,

'85, the American Antiquarian Society writes Justin Schiller and makes some observations concerning the Oath, right?

A Yes.

Q And wants it sent to New Mexico for a cyclotron test?

A Yes.

Q Did you know anything about cyclotron testing at the time you prepared the document?

A Yes.

Q Did it concern you that it may be tested by cyclotron method?

A No.

Q Why not?

A Because I felt that the document would pass. Incidentally, I never heard. Did it or didn't it?

MR. BIGGS: Well, it depends on who you talk to. If you talk to Schiller and Wapner, it passed. But if you talk to the people who actually did the tests, they were not that positive about it.

MR. RICH: I'm sure when you called them they were backing up as far as they could.

A Yes, I'm sure if it wasn't for the other suspicion, i.e. the bombings, etc., I believe it would have passed very well.

MR. BIGGS: Now, we have a letter from

American Antiquarian Society, August 27, 1985, where it says, Dear Raymond, we are interested in buying it, but these are the two requirements that we need. The price is lowered drastically to a level that reflects its true importance and value, and they were offering $250,000 and if the counsel for the Society approves its purchase at their meeting on October 15, 1985, assuming that the proofs are in by that date. Were you aware of that August of '85?

A I don't believe I saw that copy of this correspondence but I was told of it.

Q This was, of course, also after you got $150,000 from Rust, after you got $185,000 from First Interstate Bank and just before you had gotten another $160,000 from the Wilding group. Did you still think you were going to get more than $250,000 for the Oath?

A Yes. Again, Schiller/Wapner indicated that in private negotiations with these people and others that it would receive or be purchased for much more than that and I was confident of that at this point. Although I had reached the point where I became desperate enough for liquid money, for cash, that I offered and they a agreed to purchase my share in the document for $150,000. You know about all that, I presume.

Q Schiller and Wapner?

A Yes.

Q No, they never told us that. Did they give you the $150,000?

A No. They had arranged-- They were not going to make the purchase. They had another party who was going to make the purchase who they had arranged for.

Q Was this after this date, August 27, 1985?

A Yes. In fact, it surprises me you don't know this information because when Steve Christensen and myself met with Harvey Tanner at First Interstate Bank, Harvey Tanner called Schiller/Wapner to verify that I was to receive, without question, in other words, without possibility of the deal falling through or anything, the $150,000 on a certain day, which was sometime in September of '85. I can't remember the exact day. But Harvey Tanner, you've talked to him I presume.

Q Yes.

A You probably just don't remember all of this as far as I'm sure your investigators have all of this information.

Q I remember but Harvey Tanner remembered a little differently. He indicated that he called Schiller and Wapner and asked them specifically if the deal was going to go through for the sale of the Oath and that Mr. Wapner assured him the sale was going to go through to the Library of Congress. Now, of course, this is long after the Library

of Congress had given back the Oath.

A I believe that he's confused because I'm the one that said Library of Congress to Harvey Tanner and I was in the office when Tanner talked with Schiller/Wapner. The only concern was on the part of Mr. Tanner, was that the $150,000 would become available to me and that Schiller/Wapner would agree to wire the money to First Interstate Bank.

Q Did they ever do that?

A No. Soon after the bombings the person, the purchaser backed out of the deal. But I remember I was, I am the one that told Harvey Tanner that it was to the Library of Congress and not Schiller/Wapner. The only thing Schiller/Wapner agreed upon was that $150,000 would become available to me on a certain day and that with my approval, which I then gave, that money would be wired to First Interstate Bank

MR. BIGGS: Let me ask you, on August 27, 1985 were you told or did you see this letter that would indicate that the American Antiquarian Society was going to vote on the purchase of the Oath on October 15, 1985?

A I believe I was. I was also, I believe told at this point that, from Schiller/Wapner, that the document would still not sell for under a million dollars. In fact, I had told them that I would not sell the document for

under a million dollars and they agreed that they wouldn't want me to and if I didn't, at this point they were going to receive no money for all of their effort. But they still felt confident enough when I talked to them before, that it would sell. They told me not to worry about that possibility that it wouldn't. In other words, they would be out all of their time and effort.

Q Was there any connection in your mind between the vote by the American Antiquarian Society on October 15, 1985 and the bombs going off on October 15, 1985?

A Was there any connection?

Q Yes.

A Yes. The connection was the money factor. I was obviously very desperate for money at this point and so that is the connection. I might also mention that Schiller/Wapner, besides carrying on this written correspondence, they were also verbally negotiating with the American Antiquarian Society, the Library of Congress and others and they told me that all though the $250,000 figure was in writing, they agreed that the document was worth more than that and so not to take that seriously.

Q And one last question before we stop for a minute so Mr. Rich can go get a guard. Hypothetically if the American Antiquarian Society had been able to and did vote to purchase your Oath on October 15, 1985 for about a

million dollars, what would that have done to the financial hole that you dug yourself into by that time?

A It would have relieved me from it. Hence, I guess you want me to say the bombings would not have taken place.

Q I don't want you to say that unless it is true.

A I'll say it since it's true.

BREAK FROM 10:45 to 11:00 A.M.

MR. BIGGS: After the first printing in March of '85 what was done with the plate?

A I kept it until I would guess a week before the bombings.

Q What was done with it at that time?

A It would have been kept in a paper sack with various other plates in my, in the closet in my downstairs office.

Q How was it destroyed?

A I believe in fire.

Q Where did you get the paper for the second Oath, the one that was given to the Wilding group for collateral?

A The book, the first paper for the first Oath came out of was a series of volumes so I had already identified where the paper could be had so it didn't take me long to drive down to Provo and pilfer a copy from the BYU

Library from their old library.

Q What about the ink for the second Oath?

A It is not as sophisticated as it was for the first Oath. In other words, I don't believe it would pass the cyclotron, for example.

Q You didn't use the technique of getting a piece of paper from the period and burning it for the carbon?

A No.

Q Did you print any other Oaths other than the two we know of, one in the hands Schiller and Wapner and one that you see before you today?

A I'm sure I made trial proofs probably just on regular bond 20th Century paper which all would have been destroyed. In other words, that I have made no other copy, no. I would be surprised if you found a copy someplace.

Q If it came through Brazil?

A Oh, yes.

Q There was that information that you had given Shanon Flynn and talked to Carden concerning. Was there an actual printed second Oath when you were talking to him?

A No, my idea was to not. If it would have happened, which was all speculation, and I was more or less testing the waters anyway. I was never convinced that this would take place but if it did it would have been not with the Oath since like I say, the ink is wrong. But this copy

would have been, meaning the Wilding copy, would have been destroyed and another one printed and shipped down to Brazil, however that was supposed to work. But like I say, that was never a serious consideration on my part, although I know Shanon was thinking it would be an easy way to make some money.

Q Okay. Just before the first search of your home, your mother went in and got a box of stuff and left the home.

A Who did?

Q Your mother. Can you recall that? Did you ask her to do that and did you know what was in the box?

A No. This is the first I've heard of this. If she went out of the home with a box of stuff it probably would have been diapers for the kids or--, it was nothing related. She took nothing besides clothes or food or whatever, I'm sure. In other words, nothing related.

MR. RICH: I was part of the discussion where she was going to go do that. I discussed in the hospital with Dorie and your mother about needing something for the kids or whatever.

A I don't remember that at all. I had never heard of that before.

MR. BIGGS: Okay. Mike, do you have any other questions on the Oath?

MR. GEORGE: Huh uh (indicating in the negative.).

MR. BIGGS: Brad?

MR. RICH: No.

MR. BIGGS: Mark, anything else that should be said concerning the Oath of the Freeman?

A I never went in to the other aging techniques other than the oxidizing the ink on the back. Did you want me to go into anything else?

Q Certainly.

A I created foxing markings on it. I folded it repeatedly. I browned the edges of the document. I browned the entire document. I believe that I waterstained it.

MR. RICH: That document doesn't look anything like this one does.

A No. This is a lot nicer copy.

MR. RICH: How did you create the foxing?

A With a fungus, a red fungus.

MR. BIGGS: How did you learn how to do that?

A Just asking myself what causes this on a genuine old document and trying to imitate it. Foxing is caused by fungus.

Q Had you done that before?

A Yes. I don't believe that any new technique was used that hadn't been used except for the printing ink

manufacture that hadn't about used before.

Q In our discussions with Mr. Stott and the forged documents you've never talked about fungus before.

A Let's see, that's because we have only so far talked about--

MR. RICH: 19th Century documents?

A We've only talked about the Anthon Transcript and just starting on Joseph Smith the 3rd.

MR. RICH: The date is later. We've only talked about those two documents.

A I don't believe I've even talked about what I did to age the Joseph Smith, 3rd document. Only the Anthon Transcript.

MR. BIGGS: All right. Anything else?

A Yes, but you want this off the record.

MR. BIGGS: Off the record.

DISCUSSION HELD OFF THE RECORD

MR. RICH: We've just had an off the record discussion about the detailed techniques of forgery that probably would serve no public benefit and would allow potential forgers significant resources toward their trade.

A And if I write a book you will learn a lot more.

MR. GEORGE: I have two questions on the Oath that came up in some of our investigation. We talked with

an expert down at Huntington Library on printing and he looked at that and I guess part of it was he knew everything was under suspicion at that time but he looked at that document for a half hour, or hour or so and said to him he thought it was a forgery and the reason why is that it appeared to him that the words had been placed, the artwork had been placed on a piece of paper because they were going up and down rather than a flowing motion that printing should have on it. Is that in fact, true?

A I don't believe so. In fact, if it goes up and down it's because I copied that characteristic from the Bay Psalm Book and I believe in the Library of Congress report that in fact, is looked upon as favorable.

I was going to say you asked me before on these documents what I consider the giveaways to be. There is, I believe, a couple giveaways, I believe on the printing which I haven't heard mentioned by the experts as far as characteristics which would establish it to be fraudulent. One of them is on the 5th and 6th lines of the document there is the word, subject, with the J in subject and underneath it, the word do. The J extends below the top of the letter D which could not happen in genuine type. I discovered that the day I first showed the document to Justin Schiller before I could do anything about it. And was in fact, on the airplane coming back. So it would have

been like that night or the next day or something.

There are, I believe a couple others, or at least one other place where that same sort of thing happens where the typed letters seem to be going through each other, which is impossible in normal type. I see another one, in the first, in the parenthesis where it says in which free men are to deal. In the first parenthesis on the top part that parenthesis is higher than the bottom of the why in the word my.

In looking at old type and if someone else looked at old type they would be able to look at that characteristic and right there be able to say that it was made photographically rather than with a genuine type.

MR. GEORGE: Give that to me again.

A The top of the parenthesis, in the letter Y in my/

Q People have talked about the border on that, that the border is a little bit reversed and not quite what they have ever seen in the Bay Psalm Book, not exactly duplicated, and they thought you may have been reversing some of the figures.

A No, if you look at the Bay Psalm Book-- Now, incidentally, this is not the same as the title page type. This is, if you measure it, a larger figure than what appears.

MR. RICH: That other page we were looking at was the same, was it not?

A Yes. See, this is not the same but this is.

MR. RICH: You said it is like the last figure and it is like the last figure reversed, right?

MR. BIGGS: It would be, if you Xeroxed it, wouldn't it?

A Each of these halves are different types which are put together different ways. See, that is put together different there. This one here is the one that is the same as this one here where it starts out here.

MR. RICH: Referring to the second figure on that 4th book title?

A Yes. But actually there are two different-- Like if you had this half right there and turned it around you will see that it is opposite of that one right there. In other words, you cannot make that figure with that figure. And it is also the same as you see in here, there are two different figures that were used. You know, what I mean?

MR. GEORGE: Some of the experts too have talked about breakage in lines.

A Yes.

Q Were they intentional or mistakes?

A No, that is how it is in the original or other

lines. You see the break in the lines?

MR. BIGGS: No, I don't think so.

MR. RICH: Doesn't that have it here at the corner?

A Oh, yes. The corners, yes. That was, it is common. The lines were made with strips of metal and I don't think that is uncommon to find them like even bent or something right there. In fact, that would be if they were just purely straight lines, that would be suspicious in my mind, compared to looking at 17th Century printing.

MR. BIGGS: What was the artwork for the lines? How was that done by you?

A I believe from some old lines that I took from an old book.

MR. GEORGE: Did you just burn your artwork after you had it produced?

A Yes, I probably would have just-- There was a time when I would have just put it in the garbage but I think at this time in my life I would have been more cautious and would have been just, have just burned it. Put it in a brown paper sack and thrown in the fire.

MR. BIGGS: Okay. Real quick, let's get on to one other matter. By the way, I looked that up for you so you could see it. I would like to show you what you've called Bridger Notes and I have several. Are you the author

of these Notes?

A Yes.

Q I'm showing you what is a negative that we picked up from Utah Engraving and what they called a Velox of that engraving.

A Yes.

Q We found in your home during the search, a manila envelope much like the one you see here with Mike Hansen on the reverse side and the other side had something that had been sent to Utah Engraving. Did you pick up the plate or the Bridger Note in that envelope?

A I undoubtedly picked up some plate in that envelope. I can't say for sure it was of the Bridger plate. Is there any indication to show it was the Bridger plate that was in that envelope?

Q Other than the testimony of the engraver who said that he would have done that but he couldn't remember what plate had been put in it. This is Utah Engraving?

A Correct.

Q The only question I have is I've had more than one plate done at Utah Engraving so it would be hard for me to say it was definitely the Bridger Note that was in that envelope. It might have been of another plate.

Q How did you come to the artwork for the Bridger Note?

A I composed it. Fairly similar to how we were talking about the Oath of the Freeman. It would have been 19th Century type. I would have first researched to find out that there was a firm of Livingston and Kincaid and I would have composed what I considered to be the appropriate artwork for a promissory note, partially printed promissory note.

Q Did you have an original to work from or did you just kind of create it?

A No, I just created it. I don't believe there is an original of a note such as this.

Q Now, on the plate there was printed a disclaimer?

A Yes. This never to be used for promissory note.

Q Did you type that in?

A Yes, that would have been from my typewriter but, that would have been ground off the plate.

Q What did you use, the device to grind off these disclaimers?

A I actually still have it or did have it, do have it in my home.

Q It wasn't confiscated by us?

A No.

Q Where was it?

A It was in my office bedroom or in my downstairs office. I still have a drill and various--

Q Bits?

A Let's see, it's one of those small hand held--

MR. GEORGE: Drimmel?

A Yes, that's what it is, in fact, which later when Farnsworth picked up our typewriter he asked to see that drill or the various bits or grind stones that I have with it, but he asked to see a drill press that I have for it but he didn't confiscate it.

Q How many of the Bridger Notes did you make, do you recall, in total?

A I can't recall. Several, many.

Q They sold for approximately $5,000.00 a piece?

A Retail value was around $5,000.00 or at least that's how they started out.

Q Did you sell them for less as time went along?

A Yes.

Q You wrote on them?

A Yes.

Q Did you manufacture the ink as you've described to us before?

A Yes.

Q Did you age them?

A Yes.

Q Did you use the same techniques that you used before?

A Probably ammonia or probably a combination of ammonia and hydrogen peroxide.

Q Why a combination?

A Because I manufactured them at different times and probably oxidized them in different ways in random fashion, whatever I felt like doing or had available at the time.

Q What happened to the plate?

A Probably burned.

Q Did you have it, was it in existence when you injured yourself in your car?

A No. It would have been several weeks before then. Probably months before then that was destroyed.

Q Where did you get the paper?

A Probably from various sources. The paper looks very much like the Niles Register paper although some of it doesn't. But it looks similar to. I would guess some of it came from Niles Registers and some from other similar paper from other sources.

MR. GEORGE: The typewriter that you typed the disclaimer on, was that your typewriter at home? Was that the one you gave to Farnsworth?

A Yes. I believe you have the ball that I typed

that, do you know?

MR. GEORGE: I'm not sure what was confiscated.

A He confiscated the typewriter and two balls. I believe one of the balls, if there were any defects in it can be shown to be the same ball that I typed that.

MR. GEORGE: I have to ask a stupid question. Why did you give it up if you had used it for a forgery?

A By that time I had pretty much guessed that the jig was up, if we can use that term.

MR. GEORGE: That what the hell, huh?

A I didn't feel like it would do much more damage to me to even give up plates if I still had them.

MR. BIGGS: You mean if we had asked you for them you would have given them to us?

A No.

MR. GEORGE: You would have thought about it, huh?

A This is all somewhat theoretical.

MR. BIGGS: We'll go off the record now.

MR. GEORGE: Can I ask one question on the record real quick?

A I don't recognize that book either.

Q I just want to ask you this, question: We got this from the University of Utah Library and let me show you why I want you to see it.

A I do recognize it. It is, it's on the--

Q Okay this book--

A It's on the 4th floor in the southeast corner of the library in the large book section.

Q Called the, Statutes at Large Passed in Parliament in Ireland dated in the area of 1786. The reason I show you this is there are many areas throughout the book where letters and words have been carved out from the typing. Did you ever do that?

A I remember the book because of the end sheet paper but I do not remember, I cannot imagine why I would have done that. For a couple of reasons. I did not actually cut out of books. I cut out of Xeroxes which I made of books and I can't think of the any item I would have cut those out to use it for.

MR. RICH: That means there is another forger out there.

A I don't believe I did that.

MR. BIGGS: Did you use the end pages out of that book for something.

A I may have used the end pages out of this but nothing that I have been charged with.

Q Okay.

WHEREUPON, the proceedings were adjourned at the hour of 11:28 a.m.

INTERVIEWS
CASE OF STATE VS. HOFMANN

FEBRUARY 11, 1987 through MAY 15, 1987

(APRIL 1, 1987)

COPY

APRIL 1, 1987, 11:00 A.M.

PRESENT: Mr. Robert Stott, Mr. David Biggs, Mr. Ron Yengich

MR. STOTT: Mark, let's just go back to a couple things that we talked a little bit about last time. We talked about the Joseph Smith, 3rd Blessing. First of all, as you notice I have a sheet of paper which was given to us by Don Schmidt which purports to delineate the different items that were traded to you for the Anthon Transcript.

MR. YENGICH: Bob, are we going to make this part of the record or are you going to read it into the record so it is clear? Why don't we attach it as an exhibit?

MR. STOTT: We'll read it in to the record. Mark, I'll ask you to read those one by one and tell us if those are the items you received for trade?

A Should I mention the eleven items? $5, Mormon gold coin dated 1850. One set of Deseret currency, which includes 25 cent, 50 cent, $1, $2 and $3. One uncut, unsigned Kirtland sheet of four Notes consisting of two, $1, a $2 and a $3. One $5 countersigned Kirtland Note. One $10 countersigned Kirtland Note. One Nauvoo Seventies Library And Institute Association Note. One Nauvoo Legion Note. One Arsenal of the Nauvoo Legion Note. One City of Nauvoo Note. One Nauvoo House Association, 1842. And one

Nauvoo House Association unsigned. One first edition 1830 Book of Mormon without title page.

Q Are those the items you received in trade?

A Yes.

Q Now, do you remember what you received in trade for the Joseph Smith, 3rd Blessing?

A Yes. I'm reading a document signed by Don Schmidt, and I believe those items are all what I received.

Q What date is that and what is listed?

A Let's see. It's dated March 2nd, 1981 under the title Joseph Smith 3rd Blessing Transaction. A notation I presume for the history of the church. "1:00 P.M., Mark Hofmann came into my office at 12:30 P. M. and said that he was ready to negotiate the document and wanted to know what I had to offer. I offered to give to him in exchange for the document one first edition Book of Mormon, one 1850, $5 Mormon gold coin, one pattern of the 1860, $5 gold coin not in gold, and with a hole drilled on one edge, one Arsenal of the Nauvoo Legion Note. One Nauvoo Music Associate Note, one Seventies Library Institute Note, one $5 Kirtland Safety Society Bank Note, countersigned. He accepted the offer and gave the document to the Historical Department with no strings attached. I gave him all of the money but the Book of Mormon itself will be turned over to him on Tuesday, March 3rd. I called Elder Durham at home and told

him that the transaction had been concluded".

MR. YENGICH: What was the first edition book worth at that time?

A Four to $5,000.00 if it was complete. It would have been worth much less without the title page.

MR. STOTT: Does that memorandum accurately describe, as far as you remember, what the conversation was?

A Yes.

Q And did you receive those items?

A Yes/

MR. STOTT: Mark, we asked you before, do you remember what your role with Michael Marquardt was in relationship to the Joseph Smith, 3rd Blessing?

A Yes. In reflecting on that question since our previous meeting, I believe that I used him in order to research standard history behind such purported blessing and for the basic purpose of forging the document.

Q Did you receive any information from him about the Joseph Smith, Sr. blessing to his grandson?

A I believe that I told him certain information concerning it.

Q Do you remember how it was that, if you did come across a copy of that document, how it, how you came across and what you told Marquardt?

A Yes, I believe I acquired it at the Church

Archives and later mentioned it to Mike Marquardt. More than anything probably for the purpose of finding out if he knew anything further about such blessing to Joseph Smith, III in preparation of composing and forging the Joseph Smith, 3rd Blessing which I forged, dated January 17, 1844.

Q Did you acquire possession of this blessing by the grandfather before you forged the Joseph Smith, 3rd Blessing and did you use it in your preparation and as a source?

A Yes. I believe I did. I believe I had, before forging the document I obtained a Xerox of it. Certainly I used the contents of it where it parallels the document I forged. I believe after forging the document I saw the original copy of this document rather than just a Xerox at the Church Archives.

Q Is that something they gave you, the Xerox copy or is that something you had to kind of surreptitiously take/

A Okay. I am not 100 percent certain how I acquired it.

Q Was there a story you've giving Marquardt at this time that you intentionally gave him and later on either told him it was a story or--?

A Yes, I was using him, like I say to research the document. For example, I asked him if he had any

information which I did not have concerning what Joseph Smith was doing on January 17, 1844. I was also interested in anything else he could tell me about the alleged Blessing which Joseph Smith, III received. The story which I gave him was that the January 17th Blessing was already in existence and that I knew of its existence and in fact, had read a copy of it. I believe I told him that even before I forged it. I believe I told him that originally the Blessing was already in possession of the Church which I somehow got secret access to. And then later changed that story to it was a document that I obtained from the Bullock family.

Q So that whole thing was just a story for Marquardt?

A That's right. Just to, I had, I felt they needed to let him know that I was interested in the Blessing because from I knew about a copy of it. It didn't seem appropriate to me to all of a sudden be interested in a Blessing and then coincidentally make a discovery.

Q Was there any particular reason why you went to the LDS church, Don Schmidt first rather than going to the RLDS with the so-called discovery of the Joseph Smith, 3rd Blessing?

A The best reason was that I had not had any previous dealings with the RLDS Church. They are out of the

state and not as easy to work with or to come to a speedy agreement with.

Q Was there any concern on your part that while the Anthon Transcript was just kind of a Mormon thing, with this document you were kind of broadening it to include another church?

A Yes, I realized that. The reason for doing that was not so much to stir controversy as it was to make the document more available. In other words more controversial.

MR. STOTT: One last question in this whole area. You have extensively written or stated the dealings during this time with the Don Schmidt and the LDS Church and how it got with RLDS and Mr. Howard. I don't want to go in to that. Is there anything you want to say you think needs to be said now to correct anything that might have been wrong in the past that you gave?

A There's probably a lot that I could say but let me just leave it at the Reorganized Church and Mr. Howard acted honorably during the negotiation process. Which statement somewhat contradicts my previous writings or talking, as you describe it. I'll just leave it at that.

MR. YENGICH: Let's make something clear, all right, just so the public is going to have access to it. You have avoided giving your impressions of people and

institutions; is that right?

A Yes, that's correct.

Q And as I understand it, the reason is that your feeling is that those are just your own conclusions and they may or may not be valid? Is that a fair statement, because they are just your conclusions; right?

A That's right. And there's no need to cause embarrassment.

Q Okay, I just wanted that clear/ Okay. Seeming to be related to this is the Brigham Young letter of January 27, 1865, Thomas Bullock. Is that the one you mentioned earlier?

A That I mentioned earlier off the record.

Q Right?

A Yes, we talked about that.

Q That appears to me to be related to this incident.

A Yes, it does.

Q Can you tell us about it?

MR. BIGGS: Just a couple questions before your mind gets onto other tracks. We were talking about the Oath last time. I went up to the University of Utah library and I found two things in the area that you described to us. One is a book called the Puritan Republic and on page 36 and 37 it has the text, the Oath of a Freeman. On the

second page of that copy I gave you is the records of the Colony of Massachusetts Bay in New England wherein it has, at least in the Oath of a Freeman as of 1634. It changed, apparently somewhat from 1631 to 1634. Do either one of those two reference materials look similar or can you recall either one of those being used by you in the preparation of the text of the Oath of a Freeman?

A The records of the Colony of the Massachusetts Bay Colony was certainly used. I am not certain about the Puritan Republic but it was probably taken from a source which I would have used.

MR. BIGGS: And one last question on the Oath: Are there any other forging techniques or counterfeiting techniques, I supposed is more appropriate, used on the first Oath that we haven't already gone over?

A Yes, there are.

Q What would they be?

A There was, I made a laquer which was included in the ink which I don't believe I mentioned in the ingredients.

Q What was the ingredient of the laquer?

A It's a boiled turpentine and linseed oil combination.

Q What was it used for?

A To correspondence to early printing ink

recipes.

Q Was it used on the second Oath?

A No.

Q Where did you get those recipes?

A That's a question you asked before which I real can't-- If you turned me loose in the University of Utah library I could probably come up with it/

MR. BIGGS: We've been talking about a field trip here. Are you saying the recipe came from the University of Utah library?

A I believe it was from the University of Utah library. And I would even say that it probably came from the first floor, but I hate to be even that specific since I don't even know for certain that it came from the University of Utah library.

Q I should tell you that the research material was in the same location that you described last time.

A On the 4th floor?

Q Yes, northeast corner. I did have a little difficulty finding the Governor's Journal, Winthrop's journal. I found the journal but was unable to find the text of the Oath in that journal. There are three or four volumes.

A Must not have been his journal. Must have been another governor's journal.

Q All I did was go to the governor that was governor from 1630 and 1640/ Any others techniques used?

A Yes, there was other techniques in aging of the paper. I believe that there is a, what appears to be a book worm's hole through the document. When it is folded it goes through two pages.

Q How did you accomplish that?

A That's a strange story. We had some bags of wheat down in our basement which were in a type of paper bags which we found little bugs had eaten through and I took, I thought that was interested so I took what looked like a little fly and put it in a notebook and came by a couple days later and it ate through a few pages. So I thought it was rather convincing, so I believe that that document has bookworm holes in it.

Q How did you do that?

MR. YENGICH: That's a new one on me.

A I believe I took a bug and stuck it in a book. Put the Oath-- I've just changed my story. I don't believe that that was used on this particular document. The reason being--

MR. BIGGS: It was an interesting story.

MR. YENGICH: Is that true? You did do that? It's not a story in the Grimms Fairytails I take it?

A What document did I do that on?

MR. YENGICH: Answer my question. It is not a story in the Grimms Fairytails? You actually did do that with a document; is that right?

A Yes. I'm thinking I wouldn't have done it on that document since the next day I took it to New York and I wouldn't have been able to leave the bug on it for a couple days

MR. BIGGS: What document has bookworm holes in it?

A Tell me if you ever find a document with bookworm holes in it. I'll be interested to see. It's probably a printed document, as I remember. I believe it would have been a printed document.

Q Anything else about the first Oath, the Schiller & Wapner oath, we could say?

A I have to see it to say for certain, you know, I may recognition a certain stain on it or something if I had the original.

Q If we had it we would show it to you.

A It's similar to when you were asking me techniques used on the Emma Smith Hymnal, you know, it was more speculation than anything since I, as far as what stains were added or how I did it, since I haven't seen or I wasn't describing the book or looking at the book when I was making those descriptions.

Q One last question. You told us about Ozone to age the ink and paper, make it brittle and you told us about how you created the Ozone with a spark?

A Right, it was a carbon spark.

Q Wouldn't the Ozone dissipate rather rapidly?

A Yes, it does. But while it is being produced it is in close proximity to the document and, therefore, when it comes in contact with another molecule which would change it to an 02, that other molecule has a good chance of being on the document if it is in close proximity.

Q Can you actually perceive a difference in the paper and ink after that procedure is accomplished?

A Yes, more so in the ink than in the paper.

Q What does it do to the ink?

A The greatest characteristic would be a browning effect on the back of the page and browning around the edges of the ink., a hazing effect.

Q When we searched your car we found an envelope, the Argosy set but included in that was also another document that looked very 17th Centuryish, Elizabethan handwriting type document.

A Yes, I know the document.

Q Was that used as a model for the back of the Oath or did you actually produce that document as well?

A Neither. It's a genuine Elizabethan document

but not one that was used. I believe the handwriting would be different than the Oath. That was not used as a model.

Q Did you use anything as a model for the verso on the Oath?

A Yes, I had an Elizabethan document which-- What happened to that? I've had several Elizabethan documents and I'm semifamiliar with the handwriting. The best source that I could give you for that is there's another book at the University of Utah library on the 4th floor. It is approximately in the southeast corner of the library there, a few, two or three shelves away probably from the large book grouping, oversized books, which deals in Elizabethan handwriting. That's several examples.

Q Have a Miles Standish example?

A No.

Q Have you ever been involved with the Miles Standish handwriting?

A I have attempted to-- no comment since you already know the answer.

MR. YENGICH: Do you want him to answer that?

MR. BIGGS: Sure, if the Miles Standish that was sold in New York was yours it might be interesting.

MR. YENGICH: Probably would be very interesting.

DISCUSSION HELD OFF THE RECORD

MR. STOTT: I want to go back on that Brigham Young Letter, and you can just tell us about that; okay? Mark, we have a letter, apparently it's dated January 27, 1865 from supposedly Thomas Bullock to Brigham Young. Are you familiar with that?

A Yes, I forged it, in fact.

Q When did you forge it? Do you remember generally?

A It would have been just after the forgery of the Joseph Smith, 3rd Blessing, probably just days afterwards.

Q Did you use the same techniques you talked about earlier?

A Yes, I believe I used a different Thomas Bullock handwriting from a later period. His handwriting changed somewhat.

Q Do you remember where you got the paper?

A Yes, I believe that it is a piece of paper that was pilfered from the Utah State Archives.

Q From a book?

A From a ledger book, yes.

Q Do you remember which ledger book?

A It was the same ledger book that has, yes it was the same ledger book that has in it Brigham Young's 1857 Marshal Law Proclamation in manuscript. It was an executive

ledger book.

Q Was that in a special place up there? Special collections?

A Let's see. It's being held-- I am not certain. I asked for it and got it. I don't know how they hold it.

Q Did you use the same kinds of inks you've talked about, the same process to date, to age it?

A Yes. I believe it was probably hydrogen peroxide that was used. I saw that because of setting--, looks like I tried to make it look like it was in a flood or some such thing.

Q Why did you create that document, and what did you do with it?

A I created it to give validity to the Joseph Smith, 3rd Blessing since it deals with the blessing. What I did with it, I gave it to President Hinkley.

Q Did you give it to him before or after the transaction with the Joseph Smith, 3rd Blessing?

A It would have been afterwards, probably, I believe, guess, a week afterwards maybe. Maybe two weeks. I don't know, maybe even less.

Q What were the circumstances of your giving it to him?

A I made an appointment with him privately. I

went in to his office and layedit on his desk. He expressed an interest in it and I left it there.

Q Did you tell him where you obtained it?

A Yes, I'm sure I did and that would have been from the same source that I acquired the lessing from, namely the Bullock family.

Q Did you receive any money for that letter?

A No.

Q Was that a gift?

A Yes. It was a free gift.

MR. YENGICH: Are you satisfied with the answers that he gave you today, as far as you know?

MR. BIGGS: Up to the last part.

MR. YENGICH: Up to the last part, you're satisfied?

MR. BIGGS: Yes.

INTERVIEWS
CASE OF STATE VS. HOFMANN

FEBRUARY 11, 1987 through MAY 15, 1987

(APRIL 7, 1987)

COPY

INTERVIEW, MARK HOFMANN

APRIL 7, 1987, 2:25 P.M.

PRESENT: Robert Stott, Esq., David Biggs, Esq.

Ronald Yengich, Esq.

MR. BIGGS: I have one further question on the Oath that came up from a discussion I had with Marv Leonard. He's an expert in the Treasurey Department, and he had been going through your Oath and he called me and he said well, would you ask Mr. Hofmann where he got the lettering, and I didn't tell him that we had already discussed it, and he went on and said there are many of these letters that I cannot find in my perusal of the Bay Psalms Book, and in particular the large I at the front doesn't appear anywhere in the book, to his knowledge. But he said a lot of them are similar to the Bay Psalms Book and he wondered if somehow you had touched the Xerox up with some type of pen so they didn't look exactly identical to those in the book.

A Yes, I believe I said before I did that on purpose in order to cause that confusion. In other words, the lettering he identified as coming from the same type as the Bay Psalms Book, although the individual letters, many of them are altered to the extent that they cannot be found in the Psalms Book.

Q What about the large I at the beginning?

I'm showing you now a page from the New England Kastep in London. They look similar but--

A Yes. Well, as you can see, this is, okay, from Jonah's Kastep in London. For example, if this, this capital I was one of the capital Ies in the Bay Psalms Book, I would have touched up the top of it where you can see there is a little indentation. And made it all that similar yet different from what appears in the Bay Psalms Book.

Q One last thing. We got this out of your home and it looked like you had been doing diction and spelling analysis on your Oath?

A Yes.

Q What were you comparing it to?

MR. STOTT: Would you describe that for the record?

MR. BIGGS: I'm showing him a blown up version of his Oath and on the side or margin is writing that looks like it's in Mr. Hofmann's handwriting?

A I'm certainly comparing it to something you but I can't say for certain what without seeing different copies of the Oath and making comparisons. Do you have anything you want to show me to have me compare?

Q No

MR. STOTT: Do you remember doing that?

A Obviously this was done after. Yes, I believe

this would be done on a Xerox of the Oath after I printed it. So I don't believe this predates the Oath as far as its manufacture. I did several comparisons I remember, some of them with just Schiller and in an attempt to, for one, show my naivety, and in interest in determining how my Oath would compare to other copies.

MR. BIGGS: So to the best of your knowledge the large I--

A If I had a Xerox copy of the Bay Psalms Book I could possibly show you which I, I altered to make that but it certainly came from the Bay Psalms Book as did all of the lettering.

MR. BIGGS: Thank you.

MR. STOTT: Mark, let's go back to the letter from Thomas Bullock to Brigham Young that you gave to--

A President Hinkley.

Q To refresh our memory again, can you put somewhere, a date on when you did that?

A I would guess it would have been within one or two weeks after the Church acquired the Joseph Smith, 3rd Blessing and donated it, or traded it, to the Reorganized Church.

Q What was your purpose for giving it to the President?

A Probably the greatest purpose in my mind was to

demonstrate to him my concern for the Church, or in other words, possibly, a potentially embarrassing document would not fall into hands that might use it against the Church. And to prepare him for future dealings as far as if my true interest and intent was for the welfare of the Church.

Q Was that something you were using to further your own purposes?

A Yes, it was.

Q Purposes of continuing to deal in similar types of forged documents?

A Yes./

Q Associated with your Thomas Bullock story of these different documents, I think you produced a small bag of gold that was sold to Al Rust. Do you remember that transaction?

A I do.

Q Can you just tell us briefly about it and where you got the gold and what it meant?

A The bag of gold was-- Well, this is not one of the charged items.

Q I think it's pretty related.

A Not really. It doesn't relate in time that closely.

MR. YENGICH: Okay.

A Nor was it claimed by Rust.

MR. YENGICH: You're saying it doesn't have anything to do with any of the documents that are--

A Another person besides myself actually made that transaction with Rust and I did not say that and I don't think that that individual claimed that it came from the same Bullock material although--

MR. STOTT: Yes, that claim was made during the time it was sold.

A It may have been assumed but I don't believe it was made just by virtue of the fact it was a Bullock item.

MR. YENGICH: All right. That's enough/

MR. STOTT: Mark, let's talk about the Whitmer to Walter Conrad letter. Here is the original.

A Okay.

Q Can you tell us what the origin of your idea was? How you came up with this creation?

A It is a forged document which I forged.

Q Do you remember when you came upon the idea and what spurred the idea?

A The idea was spurred, as I remember, by an interest which Brent Ashworth had in acquiring a Whitmer document. Which I basically manufactured to order.

Q For Brent?

A Yes, I believe it went to Brent originally.

Q Was there some specific thing that he wanted?

Some specific document point or historical point?

A I believe not. I believe it was basically the signatures, since there is no historical or doctrinal interest that I can see in this.

Q This transaction occurred around October 20th of 1982. Do you remember when you created this document in relationship to that date?

A If that is the date that I sold it to Ashworth or traded it to Ashworth it would have been very close to the time that I manufactured it.

Q Were the techniques that you used similar to the ones you've told us about in the others?

A Yes.

Q Is there anything different that you can remember that needs to be said?

A I don't believe that I've discussed previously the wax seal on these documents, have I?

Q I'm not sure but this document appears to be a wax seal directly in the middle of the letter.

A And also on the left-hand side.

Q Why don't you tell us about that/

A The seal, the wax probably would have been taken off of another folded letter and melted with an iron in its place after the letter was folded.

Q So you didn't make the wax up yourself?

A I believe I took it off of another genuine document.

Q Did you use anything to come up with the idea for the wording or the contents? Did you have a source/

A I remember, I believe, having other folded letters addressed to Mr. Bithel Todd. It is possibly that I would have copied the text of a genuine document and substituted the names, Peter Whitmer, David Whitmer.

Q Do you remember why you got the Bithel Todd letters?

A No. It could have come from a number of sources that I purchased folded covers from.

Q Do you remember where specifically you obtained the paper from?

A It would have been an end sheet out of a book most likely, but I don't remember the book, although I presume it came out of the University of Utah library.

Q How about the handwriting? Did you try to make the handwriting appear to be of some particular person and if so, where did you learn about that handwriting?

A No, I don't believe that I tried to copy Peter Whitmer's handwriting because I don't believe that any of his handwriting is known.

Q Did you try to use a particular style of the era or anything like that?

A Yes, I would have tried to have used the style of the era.

Q Can you give us a sample of that handwriting?

A I could probably copy it.

Q Off the record.

DISCUSSION HELD OFF THE RECORD

MR. STOTT: What did you tell Brent as far as where you obtained that document?

A I probably would have told him, or I believe, as I remember, I remember telling him a story similar to this and I believe it dealt with this document, and that is that it came from a collection of-- Let's see, I take that back. What I was thinking of, I probably told him in connection with the Lucy Mack Smith letter and that was, it came from a collection of dead post office letters. I believe with this document, I believe I told him it came from a cover collection back east but I can't remember the details of anything else I told him as far as what state it came from or whatnot.

Q Was the significance of this document just the mere Peter Whitmer signature?

A Yes.

Q Was the body of the letter supposed to be in the same handwriting or did it matter?

A Yes, I believe the text of the document and the

Peter Whitmer signature looked to be in the same hand.

Q Prior to selling this forged document to Brent Ashworth did you show it to to anybody else for any comments or anything like that?

A I don't believe I did.

Q I don't remember if you showed it to Schmidt or--?

A No, Schmidt obtained it later but at this time anyone that it was shown, it would have been shown by Brent Ashworth I believe.

Q Let me show you what was found in your car, because it's burned. Either in your car or in your house. As you can see it is an envelope with another envelope with the name Whitney Todd with a similar address as on the letter.

A Yes, this is obviously the handwriting that I was duplicating.

Q Do you know if you used that to trace, where one or the other was traced?

A I don't believe so but do you have a ruler?

Q I'm just asking if you can independently remember.

A I can't remember tracing it. It appears that I did trace it which would have been something I rarely did and I don't remember doing in this case. But according to

measurements it is probably what I did, that is traced the forged Peter Whitmer document from. Unfortunately the letter part of this is this here.

Q Is that one you obtained from a stamp dealer?

A Yes, this is a genuine cover.

Q That had nothing to do with Peter Whitmer or anybody in Church history?

A No. That is correct.

Q Do you have anything else to add on that document, the Peter Whitmer document?

A It is undoubtedly traced. This document?

Q Yes.

A The forged document?

Q Forged Peter Whitmer document. Anything else that we should know about?

MR. BIGGS: Can I ask a question?

MR. STOTT: Sure, let him finish if he remembers anything.

A Oh, you pointed to the postmark. That would have been a plate. Probably would have been made from a genuine Seneca Falls postmark. It would have been made by myself I believe, and was used to apply this postmark.

Q Mark, do you specifically remember that or are you just talking about what you normally did?

A I don't specifically remember doing it, no.

MR. BIGGS: But since you forged the document there wouldn't have been an original postmark on it.

A That would have been a forged postmark, I'm sure.

Q There's some handwriting in the center of that postmark. Did you do that?

A Yes. Probably I copied as close as I could, the Seneca Falls postmaster's handwriting from the genuine postmark that I took this from as far as making the plate from, is what I would guess

MR. STOTT: Do you remember where you got the Seneca Falls?

A Could have come from a number of cover dealers. The most likely individual would be Courtney Koffers in New York where I bought a large quantity of stampless covers. Is that true or isn't it? Do you know where I got it from?

MR. STOTT: Let's talk about the White Notes?

A Okay.

Q Can you tell us what the origin was of the White Notes?

A Yes. The White Notes actually preceded the Joseph Smith, 3rd Blessing in time.

Q As far as a creation?

A Yes, and as far as being sold to the LDS

Church. In fact, when Richard Howard met with me in Salt Lake City and with Don Schmidt, Schmidt showed Howard those notes and told him that, told Howard that they came from the same source as the Blessing and that they were undoubtedly Thomas Bullock's handwriting.

Q Had you sold them to the LDS Church then at that time?

A No, they were sold to the LDS Church probably two months or more before the Blessing was sold.

Q When were they first shown to someone in the LDS Church?

A Probably two months or so before the sale of the Joseph Smith, 3rd Blessing.

Q Were they shown after you showed them to Al Rust, or do you remember that sequence?

A Yes, I remember the sequence. They were sold around the same time as the notes were sold to Al Rust.

Q Why don't you tell us why you decided to make those notes? How you did your research, how you went about it.

A The primary source of the research was a ledger book possessed by the LDS Church Archives. I believe it is entitled Brigham Young's Daily Transactions in Gold Duties. That book lists the serial numbers of the hand denominations of the issued notes. There is also some reference as far as

the numbers being crossed out as to when or which notes, which serial numbers would have been redeemed. The unredeemed serial numbers are the ones I adopted in making the forgeries. In other words, my forged notes have the same serial numbers as the unredeemed notes in that ledger book.

Other sources of research would have been dealing with Mormon money. It was pretty commonly known that handwritten notes were issued, although a genuine note has never appeared. I decided to use Thomas Bullock's handwriting. This was a time even before I decided to forge the Joseph Smith, 3rd Blessing. Remember, I decided to use his handwriting because, well for one thing, his handwriting was used in the ledger that I just described, and he was a secretary to Brigham Young and likely would have written the notes. In fact, I believe the Journal History of the Church describes him as having written out some of the notes.

Q Is there a description of what should appear on the notes?

A That was mostly taken from the printed notes as far as the wording.

Q Did you have access to the printed notes?

A Yes.

Q How about as to the people whose signatures would be on the notes?

A Those signatures were also taken from the Journal History of the Church and from the Brigham Notes.

Q Were you doing research at this time or was it later for Al Rust, for his book?

A It would have been later. I don't know. I don't know. Has Al made any money off that book?

DISCUSSION HELD OFF THE RECORD

MR. STOTT: Tell us how you went about creating these notes?

A The paper came from a series of French books in the University of Utah library which were then on the shelf but have since been moved into special collections, I believe. There were several volumes, dozens of volumes, in fact.

Q Were they part of a series, the same publication?

A Yes, they were all from the same. It was a journal but I don't remember the name of it, though I would if I saw it--

Q Was it a history or literature or what?

A I don't read French. It would have been a publication that occurred over a number of years through the, probably mid-1840s through the 1950s and beyond, probably.

Q Was the paper some end pieces or what was it?

A Yes, they were end pages that were used that I tore the end pages out and used. And that paper I used because it came from around the same time period, and because it somewhat resembled the paper on which some of the printed notes were printed. Although that paper varied somewhat too.

Q How did you go about making the actual notes to that paper. Cut paper down or what?

A Yes, I would have trimmed the paper, although I would have done the forging first before I did the trimming. Possibly two or three different notes on a single page. Then I trimmed them, applied the seal after they were aged, or whatever, to my satisfaction. Meaning the ink was oxidized. We've already been through that, I think.

Q Used the same kind of ink?

A Yes, same aging process.

Q Same aging process?

A Yes. And the only unique thing with the notes probably was an embossed seal was applied to them.

Q Was that the one that you made?

A Yes.

Q That you talked about before?

A Yes. Also with the notes there was a little, looks like a small folder that has a forged inscription of Gold Notes on the front.

Q Is that a little packet?

A A little packet, yes.

Q The notes were in?

A And also a little piece of paper that had words corresponding to the initials on the seal which matched a similar piece of paper which the LDS Church already owned.

Q Did you create both of those things?

A Yes.

Q Why?

A To give some, to lend authenticity to the Notes as far as giving them some context as far as how they were found in that packet. And since the Church already owned the small slip of paper with the meanings of the initials on the seal, having examined that previously, and in fact, having a Xerox of it and having studied it as far as the type of paper it was on and whatnot, I felt like it would lend to the authenticity if I could forge a similar piece of paper to go along with it, giving a different type of meaning to the others.

Q Changed the meaning around a little bit?

A Yes. More than a little bit. The document that the Church had gave the actual meaning for the letters. This one just had words, which the first letter of which corresponded to the seal. But such words as Charity, I can't remember all of them that were on there but things

that we should all strive to do.

Q Was the paper for these two items, were they from the same source, or do you remember?

A No, the paper for-- I'm speaking now of the document in which I wrote the words in that which the letters corresponded to the seal. That is from a different source than the paper that I used in forging the Notes.

Q Do you remember that source?

A I remember the location of that book in the University of Utah library but I don't remember the title or how to describe it.

Q How about paper for the packet the Notes were in?

A The packet came from a photographic packet used around the turn of the century in which I removed the photograph. If you had the original here I could be certain of all of this I'm speaking about, but that packet is a late 19th Century folder that originally held a photograph in which I removed the photograph, put another little pocket with paper to hold the Notes.

Q Your purpose for creating the White Notes, was it just monetary or anything else?

A Yes. That was the purpose.

Q Did you have an idea of what the value was before you actually went down and started to negotiating

with somebody?

A I had a pretty good idea they would be pretty valuable.

Q You sold some to Rust?

A The first Note, actually that I produced, I believe was sold to the LDS Church. Then I later sold, I was pleased enough I presume with the amount that I acquired for it, that I produced several more, seven more in fact, at that time, which were sold to the Church and to Al Rust.

Q Do you remember, did you give a story that there was only so many?

A Yes, that there were only eight of the Notes at that time.

Q So you sold how many to the Church, if you remember and how many to Al Rust?

A I believe that the Church acquired the first one and then three more, so they had a total of four and Al Rust acquired four.

Q What did you tell the Church and Al Rust as to where you obtained those items?

A From the Thomas Bullock family.

Q Did you at that time, had you mentioned the Joseph Smith, 3rd Blessing at that time or did that come later, as it being the same source?

A No I didn't mention it at that time.

Q Later on did you say it was the same source?

A Yes, later on. The source for those Notes worked good enough that I thought that if the Bullock family had something else interesting, that that would be the source I would use for the other Bullock item. That is when I thought of the Joseph Smith, 3rd Blessing. I decided they would be the same source.

Q Do you remember what you received from the Church for it when you sold it to them?

A For the Notes?

Q Yes.

A I believe there was a first edition Book of Mormon, a Seventies Institute Note, and some other material that I can't remember for certain.

Q Besides those eight did you make some more?

A Later I did.

Q And how much later?

A Probably a couple years or more.

Q And do you remember how many more you made?

A Not for certain. I would guess a couple, maybe more, I don't know.

MR. YENGICH: Let's take a break.

(Break from 3:10 to 3:15 p.m.)

MR. STOTT: Do you remember who you sold those to, the last two that you made?

A I believe that they were sold through Shanon Flynn to Deseret Book. There may have been more than two, I can't remember really how many. This all took place shortly before the bombings and I wasn't thinking very clearly at the time.

Q The purpose again was to raise some money?

A Yes, it was obviously a desperate attempt since I had already told people there were only eight, you know.

Q Do you have an estimate as to how much money you made totally on those?

A I believe the four that went to Rust were $2,500

Q Each?

A A piece. And I believe that I made probably more than $2,500 a piece on the Notes that went to the Church.

Q Was that in cash or trade?

A In trade.

Q Anything else you want to mention about the White Notes?

A Yes. This was around the time when I was experimenting, I believe in not putting the gum arabic in the ink. That's why I was surprised at the preliminary hearing that there was still cracking some I guess this comment is more of a question. Were all of the signatures

cracked? Was all of the ink cracked on those Notes?

MR. STOTT: We'll have to go back and look. I can't remember, but did you use the same ink for all of the signatures and all of the Notes?

A No, it would have varied.

Q From Note to Note or signature on the Notes?

A Probably both. Certainly signature to signature since I tried to look like a different ink pot was used for the signature.

Q Could you have used gum arabic in some and not others?

A Yes. That's why I wondered if all of the ink was cracked or if part of it was or part wasn't, whatnot.

Q I know there is a report on that, but it doesn't come to my mind right now. Let's talk about the Lucy Mack Smith Letter. Can you tell us the origin of that? First of all, is that a forged document?

A Yes, it is. That is the origin of it is that I forged it.

Q Would you tell us where the idea came from and when?

A I actually told Brent Ashworth that such a document was in existence even before I attempted to forge it or even research it. He expressed an interest in it and I eventually got around to making the forgery, which I

believe was sold to him the day that it was complete, the evening of the day that it was complete as far as complete meaning when I had completed the forgery.

Q Did you do it in one day or did it take time?

A Took me a while to research it and to forge it. Probably the handwriting and the aging would have been done in the same day.

Q When you say the idea was with Brent Ashworth, was that something that Brent suggested to you, some idea or did you suggest something to him or how did that go?

A I believe I said something to the effect that I knew where a Lucy Mack Smith Letter was, and he became interested in it.

Q You felt that Brent would be interested in something like that?

A Yes.

Q Your purpose in making the letter, was it strictly financial or was there something more to it than just the money?

A That's all. All of these forgeries were, I believe was strictly financial. Obviously a document with historical content is worth much more than one without. This document has historical content and therefore it is worth, or at least it would be worth if genuine, quite a bit of money.

Q To come up with that historical information content, how did you do it?

A I obtained a Xerox of a genuine Lucy Mack Smith Letter dated 1831 which is in the Church Archives.

Q Let me give you a copy of that.

A That was the source of some of the wording and also the handwriting of the document.

Q Is that the letter you're referring to in 1831 to her brother and sister?

A Yes, this is the one.

Q So you used that for handwriting and for style?

A Yes.

Q And what, word order?

A Yes, that was all taken into account as I forged the text.

Q Did you also use that as far as content, ideas talked about or concepts?

A Yes, I believe I did. I believe both refer to the Book of Mormon story.

Q Did you have a specific idea of different topics you wanted to talk about and why, if so?

A Yes. I wanted to talk about topics that would make it a valuable item.

Q Such as?

A Such as the origins of the Book of Mormon and

the Joseph Smith Story, given from a mother's point of view. It is also valuable in that, from the date, at least it would appear that this information came from the lost 116 pages of the Book of Mormon, the book of Lehi.

Q Is that something that in your mind would have made it more valuable?

A Yes. It also gives a somewhat different story concerning the Joseph Smith homestead than what generally appears in Church history. Again, any new information would make it more valuable.

Q Did you say at the time, did you do any research to see if your dating was correct. That they would have been there at the house? Historically did you try to research it out?

A I knew it varied from the general story but I didn't place much credance in that story. And yes, it is different than what is generally accepted.

Q Why did you pick that day, for example? Did you pick that date for any certain reason?

A The date that the letter is written?

Q Yes.

A I'm sure I did but I can't remember all of the details as far as why I would have. I believe that would have been around the time that Joseph Smith's father had returned from visiting with Joseph Smith in Susquehanna,

Pennsylvania.

Q Did it bother you at the time or maybe subsequently that maybe you had written something down that really was out of place, that might have been an acronym or something like that, because you're covering a lot of material.

A No. I thought I was being pretty careful and I didn't think of that. I knew there would be, and there has been some objection, like I say, as far as the date that their home was foreclosed on and whatnot. I was aware of what the generally accepted story was at the time and that was purposefully done as far as when they were forced to move out of their property or whatever.

Q One of the things you included in there of special note was the lineage of Lehi or Nephi, excuse me. Where did you come up with the information on that it, the lineage of Lehi, Nephi through his parents?

A If you can show me where you're referring to I'll try to answer. It's been a long time since I wrote the letter. Are you referring to the relation of Ishmael?

Q Yes, through the in-laws, you're right. That's in there somewhere; isn't it?

A It is in there somewhere, I'm sure. I remember doing it.

Q You're right, it is the in-laws.

A Yes, that was done on purpose.

Q Ishmael was related to Joseph of old or one of the sons of Joseph; isn't it?

A I believe there's a relationship between Ishmael and Lehi which --

Q Ishmael being Sarah's brother, is that how you did it?

A Yes, that is the one. Again, I figured that any new information given would make it all the more valuable and that would be the reason why I added detail that isn't in the Book of Mormon.

Q Did you get that idea from some other source, do you remember, or is it something you just made up?

A I believe I just made it up. Although, as I remember, I came up with the idea that that would be an interesting piece of history, and then I checked in the Old Testament as far as who people are permitted or not permitted to marry and found that relationship would have been permissible and therefore incorporated it.

Q Did you do any research or study at all as to what, during this time period, Joseph Smith would have translated, how much of the Book of Mormon, what portion?

A Yes, I would have done all of that kind of research and, for example around the middle of the first page where it says that just, I believe the day before Lucy

Mack Smith and her husband had returned from visiting Joseph Smith, I believe that I got that from the History of the Church, that that was around the time period. Although I don't know the exact days given in the History of the Church. It would have been in the winter of 1829.

Q Where did you obtain the paper?

A It would have been from a book that I believe is on the 4th floor of the University of Utah library and on the east wall, yes that's right, towards the northeast corner of the building.

Q Is this a large volume apparently?

A Yes, it was a large volume.

Q Do you remember what it was about?

A I believe it was on the north side of the stacks. I don't. Although I could, unless it's been moved, locate it without much effort.

Q Do you remember, was it from a flyleaf or--?

A Yes, a flyleaf. Probably front or back flyleaf.

Q Same type of inkthat you were talking about before?

A Yes.

Q Same type of aging process?

A Yes.

Q How about the wax?

A I believe it would have been taken off of a genuine, folded cover.

Q How about the folds in it, are those your folds?

A Yes.

Q Where did you get the idea of the folds?

A From another folded cover.

Q Postmark on it, how did you create that?

A It would have been from a plate that I would have created from a genuine folded cover.

Q Do you remember where you got the genuine postmark from as your sample?

A No, I obtained Palmyra oval postmarks from a number of sources.

Q Was this a plate later destroyed by you?

A Yes. I believe so. You haven't found it, have you?

Q What about the postage designation? How did you decide on that particular number?

A The denomination?

A Yes.

Q I would have figured out the distance of travel and forged the rate accordingly.

Q Do you have books on that?

A Yes, I had access top, the early postal history

of the United States.

Q The handwriting, was there any other source available to you other than that other letter?

A I don't believe that any other source was used other than this letter.

Q Do you know where you would have obtained your copy of the letter?

A I would have obtained it from the Church, either with permission of Don Schmidt who sometimes let me have Xeroxes, or from another historian, but I know the original is in the possession of the Church.

Q Did you practice that handwriting long?

A By this time I had learned to pick up handwriting fairly rapidly. I don't believe that it would have taken that long, no. I believe it would have all been written in a day.

Q Do you remember what you sold the document for?

A I traded it for a number of items, as I remember. I believe that the items mentioned by Brent Ashworth at the preliminary hearing are accurate but don't ask me to repeat them.

Q Do you remember if you showed that document to anyone else during this time?

A I believe that he was the first one that I showed it to, Brent Ashworth was.

Q How about Dean Jesse, did you show it to him?

A No. He saw it afterwards through Ashworth, I believe. I believe that it was traded or given in exchanged for those items to Brent Ashworth the same day that I completed it.

Q What was the story you told Brent as far as how you obtained it?

A I believe I told him that, well I, certainly I told him that it came from a collection of covers from the east. I believe that I added the detail that the covers originated with discarded covers from the dead post office.

Q Why did you add the part about the dead post office?

A I believe that Mary Pierce, who the document is addressed to, the letter is addressed to, had moved from Wilmington, Vermont at the time that this letter is dated.

Q Did you find that out later?

A I believe I knew that at the time but I thought that it would be reasonable that Lucy Mack Smith wouldn't have known that or had that information. But since I did not have, I believe that I still addressed it to Wilmington because I didn't have the current address of where Mary Pierce would have been at that time and so I pretended like Lucy Mack Smith would not have obtained that information either, or had not obtained that information as far as her

having moved.

Q So is your story basically this was just a fortuitous discovery by you?

A Yes.

Q Is it something that you went back east to pick up or was it something that you did through the mail?

A I believe I told him it came in the mail the day that I took it to him. As far as I remember, that's what I told him.

Q And finally, you obtained some money from Al Rust. I think it was 15 or $20,000 to acquire this document.

A Yes.

Q Was that before you had forged it or after?

A I believe it was just a week before or couple weeks before, not long.

Q Did you use that money specifically for anything related to that letter?

A No.

Q And later on, you returned that money plus an investment amount to him, is that right?

A That's right. I believe I told Rust something to the effect that it could be purchased for 20 thousand, that it had been sold to Ashworth for 50 thousand and we would split the profits. So in other words, I gave him back

his 15 thousand plus.

Q And you told Ashworth you had bought it for $25 or something like that?

A I believe I told him that I acquired it as an ordinary folded letter with the Palmyra postmark, which could be had at that time for $20 to $30. I am not sure I told him an exact amount. Maybe I did at a later time. But any way, his belief was that it was purchased for $30 or less.

MR. BIGGS: What did you do with all of the stuff that you got from Ashworth for the letter?

A It was auctioned through Charles Hamilton Galleries.

Q Do you know how much you received, cash for all of that?

A I believe less than $5,000.00.

Q Total?

A Uh huh (indicating affirmatively.). For example, one of the items he described in the preliminary hearing was a copy of the 13th Amendment signed by a number of people. One of which was not Abraham Lincoln, unfortunately. I offered that to several dealers, received offers around 100 to $200?

A I believe he said at the prelim it had a value of 15 thousand

MR. YENGICH: Who Brent?

A Yes. It sold at action for under $200, as I remember

MR. BIGGS: So you didn't use the money you got from all those items to pay back Rust?

A No, that's right.

Q It was a definite loss, in other words?

MR. STOTT: Anything else on the Lucy Mack Smith Letter?

A It's made up of two separate sheets which are taped together, as you can see.

Q It came that way in two separate sheets, in other words?

A Yes, there were two separate end pages which I taped together in an effort to show that they were torn apart from an original elephant, octavo sheet which was commonly used for writing such letters but not being able to find that large of a page I used two separate pages and again taped them together. I can't think of anything else.

Q Let's go on to the Josiah Stoal Letter. (S-t-o-w-e-l-l)

A Put F-o-l-i-o

A I believe that's how Josiah Stoal signed his name. Incidentally I've seen a document in which he did sign his name that way, have you?

Q No, what I am basically going on is what everyone else in that time period referred to him, what his family members referred to him as.

A I believe when Joseph Smith wrote this letter he would have had a letter of Josiah Stoal addressed to him before, he would have taken the spelling from, how he signed his name. Although obviously, that's fictitious. This whole document is a forgery.

Q What is behind the idea of the Josiah Stoal forgery? How did it come up in your mind?

A From the History of the Church, Joseph Smith's History of the Church, I think that it is commonly known that Joseph Smith was employed by Josiah Stoal. Also that Josiah Stoal was a fairly superstitous individual and believed in such things as money digging. Also that Josiah Stoal hired Joseph Smith for his abilities as a seer. And the document is obviously historically important and controversial, both of which means that it is worth a lot of money.

Q Was your purpose, when you made it up, to go right to the LDS Church or was it to go to the highest buyer?

A It was to go to the LDS Church. There was no competition since there wasn't any, it wasn't going to the highest bidder since there was no bidding taking place.

Q Why was it going straight to the LDS Church?

A I thought they would pay a considerable amount of money for it.

Q Do you remember using any sources, particular sources? You talked generally it is well known. Did you use any particular historical sources to generate some of the ideas of contents?

A When I was talking before, I was referring to Joseph Smith's History of the Church as far as his employment with Josiah Stoal. As far as the wording or whatnot, it was basically my own imagination again. The dates varied somewhat from Joseph Smith's History of the Church as far as when he was employed. In fact, I don't even know that the History of the Church, that Joseph Smith knew Josiah Stoal at this early date. The handwriting came from a letter of Joseph Smith that I had a Xerox of. Joseph Smith's handwriting varied very little throughout his lifetime.

Q You didn't think that was too good for an early Joseph Smith?

A No. In fact, I thought that an early Joseph Smith, he would take more care in his writing than a later Joseph Smith in a letter of importance any way, a business letter.

Q How about the idea that Joseph Smith at that

young age could hardly spell, could hardly write, that he was quite illiterate?

A I thought he could spell and write basically as well as he could later in life and that he would have taken pains as to his spelling and writing, that he would not have taken later.

Q Did you do anything to the actual markings on the paper to try to give some authenticity to it?

A Yes, I, it appears as though as I was writing it I smeared some of the lettering.

Q Why did you do that?

A It's not an uncommon thing for someone in Joseph Smith, Junior's station in life to do, and something that occurs on some of his other letters.

Q The stamp, is that another plate that you made?

A Yes.

Q And would that have originated from a real letter at the time?

A Yes.

Q Would that be another one you might have got from some of those same sources you talked about?

A Yes.

Q The postage, is that again something you designated?

A Yes.

Q And it came from your study of--

A 12 and a half cents, yes from my study of postal history, postal rates.

Q The wax?

A Probably from another genuine document.

Q Do you still have the plate the stamp came from?

A No.

Q Do you remember where the paper from?

A There's a chance it came from the Niles Register.

Q Can you be certain?

A I feel fairly certain but I am not absolutely sure.

Q Was the ink the same as what you described before?

A Yes.

Q Was the aging process the same?

A Yes.

Q Do you remember what kind of pen you used?

A It appears to be a stiff quill pen, not a steel pen.

Q Do you remember any sizing or washing that you did?

A No, but I probably did do that.

Q Do you remember anything about the folding of the letter?

A I don't remember but I assume it would have been folded as a single sheet letter of the time period might have been folded, copied from another folded letter.

Q Do you know if you used different inks on this or just the same ink all the way through, for the address too, for example?

A I believe it would have been the same ink. It may have been oxidized somewhat differently, somewhat more intensely just because it was supposed to be on the outside of the cover.

Q Could they do it?

A Rather than Palmyra or? Why not? It was a few miles away from Palmyra. Joseph might have been employed there or been there on another business. It was a considerably larger community than Palmyra was.

Q Did you think about that, you know the first thought would probably just be Palmyra wouldn't it, that's where he lived?

A I think it is what, six miles away or something and Joseph lived on the road between Canandaigua and Palmyra.

Q Well, Lucy Mack Smith's has Palmyra?

A Yes, well if anything the novelty of that would

have given the document authenticity. I can't say I thought of that at that time but it could be that I just had a Candanagua postmark that I was dying to use.

Q You notice you spelled Candanagua wrong?

A Yes, Joseph Smith wasn't a very good speller.

Q And we talked about this a little bit, why he has Stowell, rather than Stoal.

A I have seen another document signed Josiah Stowell that is signed like that.

Q Do you remember where you saw that document, what the date is?

A I'm not even certain that the Josiah Stoal was the same one but at least that indicated to me that it would have been a way of spelling the name. I believe it was on a Palmyra document.

Q Any particular reason why you addressed it to Harmony?

A I thought that might be were the mine was or where Josiah Stoal might have been at the time.

Q And finally, I don't know where, I know we're all excited about this, did you have any historical evidence at all for this so-called correspondence here between Joseph Smith and Josiah Stoal that you were insinuating in your letter?

A No.

Q Is that something that you put in there?

A In other words, was I pirate writing or something?

Q No, did you have any historical evidence for that?

A No, it was my imagination.

Q Is that a little twist that you felt would give something added to this, the fact there was earlier correspondence between the two than even this?

A I never contemplated forging anything other than this.

MR. YENGICH: You weren't looking for a book like the --

A That's right, but, no at the time I wasn't thinking of any additional correspondence.

MR. STOTT: Finally can you tell us when you finished the letter what you did with it?

MR. YENGICH: That's two finalies but go ahead.

A Yes, I sold it to the Mormon Church.

Q To whom specifically?

A President Hinkley.

Q How did that go about?

A I believe he was Elder Hinkley then.

Q Why didn't you go through Schmidt or the

Historical Department/

A I may have shown it originally to Elder Durham I believe and he and I took it to President Hinkley's office.

Q Why would it have gone to Durham rather than Schmidt? Your other contact seems to have been with Schmidt.

A Only because of its controversial nature.

Q You had met Durham earlier for some other transactions?

A Yes.

Q Durham took you to President Hinkley?

A Yes.

Q Did he make the contact?

A I believe that he called his office, called President Hinkley's office while I was in Elder Durham's office and we went directly over there, over to the Administration Building.

Q And during this meeting was, with President Hinkley was Elder Durham present?

A During the first meeting I had with President Hinkley he was.

Q During the first meeting, do you remember what went on, basically?

A Only that they were interested in making a

purchase.

Q It was purchased sometime in January of '83. Do you remember when this first meeting took place?

A If I remember the purchase would have been on a Monday and my first meeting with President Hinkley would have been the week before, perhaps on-- Well, I don't know, sometime less than a week before.

Q On the first meeting you don't remember anything else; is that what you're saying?

A I remember some other things but I don't know that, I don't know how relevant they are.

MR. BIGGS: What did President Hinkley tell you relative to this document?

A He told me that for the time being, or in other words, without giving a date as far as how long this would be in effect, that the Council of the Twelve and the First Presidency and Elder Durham would be the only ones to know about this document.

Q . Did he tell you anyone else would ever know about the document?

A I guess I should include his secretary. Oh--

Q Well, go ahead.

A Francis Gibbons.

Q Did he say no one would ever know about this document other than those people?

A No.

Q Did he ask you some other questions about who else knew about the document?

A Yes.

Q And did he ask you, does your wife know about the document?

A Yes.

Q What did you say?

A No.

Q Did he ask you, did he say who else knows about it?

A Yes.

Q What did you say?

A I told him that no one else within the Church knew about it. I left open the possibility that someone out of the Church. Obviously, I claimed to have acquired it from someone outside of the Church.

Q Did he ask you who else outside of the Church might have had it?

A Not at that time.

Q Did he at a later time?

A At a later time we discussed--, At a later time he asked me if Charles Hamilton was the source and I did not confirm or deny that possibility.

Q Which is something that you did a lot, right?

A That's right.

Q Why did you do that?

A He had heard rumors.

Q No, no. Why did you not confirm nor deny when you were asked that question? What was your reason?

A I tried to never confirm or deny a source, especially if the source wasn't real.

Q You did it so they would continue to go down the path?

A Yes, that's right.

MR. YENGICH: As to your other question, his attorney advises him not to answer that right now but I will write it do you know for a later time.

MR. BIGGS: How much later?

MR. YENGICH: Later.

MR. STOTT: Okay. Mark, that was your meeting. Did you have a subsequent meeting?

A I believe I had a total of three meetings concerning this document with President Hinkley. The last meeting when he gave me the the check and made the purchase.

Q When you talked about the first meeting, besides yourself and President Hinkley, were other people at the next two meetings?

A No.

Q Did you tell President Hinkley where the letter

came from, the document?

A No, I did not, other than an eastern source. Source on the east coast. Although I did, let's see, I did tell him that the document had been authenticated by Charles Hamilton.

Q You told him that?

A Yes, and he obtained a document signed by Charles Hamilton confirming its authenticity.

Q Did he obtain that himself or did he obtain that through you?

A He obtained that through me.

Q Is that a real document?

A Yes.

MR. YENGICH: Was his attorney with you all the time you talked to him?

A No, no one was with him.

MR. STOTT: How did you come to settle on a price?

A I named a price and told him that I believed it was fair, and that that is what I would accept.

Q Was that the $15,000?

A Yes, I believe that was the amount.

Q And that's what he paid you?

A Yes.

Q By check?

A Yes.

Q On a Church account?

A Yes.

Q Do you know what he did? Did you just leave him the letter? Do you know what he did with with it?

A I left it with him and he told me at a later time that he handed it to Francis Gibbons with instructions to put it in the vault.

MR. YENGICH: Did you keep a xeroxed copy?

A Yes I did, although I told him that I didn't.

MR. STOTT: Rumors started circulating around that time about the letter. How did those rumors come up?

A Part of them came from me and part of them I believe came through Francis Gibbons but I never know for sure how some of the information originated. I believed at the time that Francis Gibbons had told Dean Jesse something concerning the document.

Q Who did you tell and what did you tell, basically?

A I mentioned the document to Lynn Jacobs, Brent Metcalf and Dean Jesse.

Q Was this something that you were not supposed to talk about once you sold it to Hinkley? Was it an agreement you weren't going to talk to anybody else or did you feel free to go ahead and talk about it?

A Yes, that was the agreement that I would not talk about it.

Q But you went ahead anyway?

A Yes.

Q Any particular reason why you told other people and started to circulate rumors?

A I can't say for certain what my motive was in circulating those rumors. I don't know really why I-- It would have just been done. It would have started in an off hand comment to Metcalf, I believe. I don't know who mentioned it to Dean Jesse. And then although I don't believe that I really went into any detail as far as exact contents of the letter. That's why I say that I believe that Dean Jesse found out through Francis Gibbons since I did not go into-- I was still concerned and protecting myself and my reputation.

Q Dean Jesse obtained a copy of that later on. Do you know where he got the copy?

A Yes. I believe that he obtained a copy from me of the document but I believe that he had a type script beforehand of what the document said.

Q Do you know where he got that from?

A I believed that he got it from Francis Gibbons or from someone who Francis Gibbons had shown it to.

Q What was Charles Hamilton's role in all of

this?

A Nothing besides the fact that he authenticated the document.

Q How much before you sold it to President Hinkley did he authenticate it?

A In between my meetings with President Hinkley, I went to New York and got an authentication from him.

Q Did you have any trepidation in going in front of Charles Hamilton and handing him this important Joseph Smith letter?

A No. I had used Charles Hamilton before in authenticating documents.

Q On any of the ones we've talked about?

MR. BIGGS: On documents that you've produced is what you're saying?

A Correct.

MR. STOTT: Other forgeries? Finish telling us what happened with Charles Hamilton.

A Only that he authenticated the document.

Q What did he say about it, do you remember?

A He looked at it, compared it with other Joseph Smith handwriting, I left his office and came back.

Q Did you tell him where you got it from?

A I believe at the time I told him it came from the stamp cover dealer and was purchased as an ordinary

cover.

MR. YENGICH: Are you satisfied with the answers he's given you?

MR. STOTT: What he's said. But I'm satisfied with the statement.

WHEREUPON, the interview was adjourned at the hour of 4:20 p.m.